

**PB# 96-16**

**SCAGLIONE, DOMENICO**  
**2 LOT SD - UNION AVE**

**4-2-7.23**

96 - 16 Scaglione, Domenico Sub.  
(2 Lots) Union Ave (Zimmerman)

Approved 12/23/96

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12553

## General Receipt

15501

June 20 1996

Received from Scaglione Quality Builders \$ 50.00  
Fifty 00/100 DOLLARS

For P.B. #96-16

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>Ch # 1118</u>		<u>50.00</u>

By Dorothy H. Hansen  
Town Clerk  
TITLE

WILLIAMSON LAW BOOK CO., VICTOR, NY 14564

Wilson Jones - Carbonless - S1642 4WCL Duplicate - S1644 4WCL TriPLICATE

Planning Board

Town Hall

555 Union Ave.

New Windsor, N.Y. 12553

MADE IN U.S.A.  
© Wilson Jones, 1989

DATE June 20, 1996 RECEIPT NUMBER 96-16  
RECEIVED FROM Scaglione Quality Builders  
Address 241 Temple Hill Rd. - New Windsor, N.Y.  
Three Hundred 00/100 DOLLARS \$ 300.00  
FOR Subdivision Escrow (2 lots @ \$150.00 ea.)

ACCOUNT		HOW PAID	
BEGINNING BALANCE	<u>300.00</u>	CASH	
AMOUNT PAID	<u>300.00</u>	CHECK	<u># 1117</u>
BALANCE DUE	<u>- 0 -</u>	MONEY ORDER	

A. Zappala  
BY Myra Marion, Secy to the P.B.

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12553

## General Receipt

117711

Dec. 11 1996

Received from Scaglione Quality Builders \$ 260.00  
Two Hundred sixty 00/100 DOLLARS

For P.B. # 96-16

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>Ch # 1118</u>		<u>260.00</u>

By Dorothy H. Hansen

DATE 12/10/96 RECEIPT NUMBER 96-16  
RECEIVED FROM Scaglione Quality Builders  
Address 241 Temple Hill Rd. - New Windsor, N.Y.  
Five Hundred 00/100 DOLLARS \$ 500.00  
FOR One lot recreation. fee.

WILLIAMSON

S1642 4WCL Duplicate - S1644 4WCL TriPLICATE

For 1213 1196 16

## DISTRIBUTION:

FUND	CODE	AMOUNT
CR # 1118		50.00

WILLIAMSON LAW BOOK CO. VICTOR NY 14564

By Dorothy H. Hanson  
Town Clerk  
TITLE

Wilson Jones - Carbonless - S1642-W/CL Duplicate - S1644-W/CL Triplicate  
Planning Dept.  
Town Hall  
555 Union Ave.  
New Windsor, N.Y. 12553  
MADE IN U.S.A.  
© Wilson Jones, 1989

DATE June 20, 1996 RECEIPT NUMBER 96-16  
RECEIVED FROM Scaglione Quality Builders  
Address 241 Temple Hill Rd. - New Windsor, N.Y.  
Three Hundred 00/100 DOLLARS \$300.00  
FOR Subdivision Escrow (2 lots @ \$150.00 ea.)

ACCOUNT	HOW PAID
BEGINNING BALANCE 300.00	CASH
AMOUNT PAID 300.00	CHECK #1117
BALANCE DUE - 0 -	MONEY ORDER

A. Zappalo  
Myra Mason, Secy to the P.B.

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, NY 12553

## General Receipt

11/11

Dec. 11 1996

Received from Scaglione Quality Builders \$200.00  
Two Hundred only 00/100 DOLLARS

For P.B. # 96-16

## DISTRIBUTION:

FUND	CODE	AMOUNT
CR # 1118		200.00

By Dorothy H. Hanson

WILLIAMSON

Wilson Jones - Carbonless - S1642-W/CL Duplicate - S1644-W/CL Triplicate  
MADE IN U.S.A.  
© Wilson Jones, 1989

DATE 12/10/96 RECEIPT NUMBER 96-16  
RECEIVED FROM Scaglione Quality Builders  
Address 241 Temple Hill Rd. - New Windsor, N.Y.  
Five Hundred 00/100 DOLLARS \$500.00  
FOR One lot recreation fee

ACCOUNT	HOW PAID
BEGINNING BALANCE 500.00	CASH
AMOUNT PAID 500.00	CHECK #1150
BALANCE DUE - 0 -	MONEY ORDER

A. Zappalo  
Myra Mason, Secy to the P.B.

Wilson Jones - Carbonless - S1642-W/CL Duplicate - S1644-W/CL Triplicate  
MADE IN U.S.A.  
© Wilson Jones, 1989

DATE December 10, 1996 RECEIPT NUMBER 96-16  
RECEIVED FROM Scaglione Quality Builders  
Address 241 Temple Hill Rd. - New Windsor, N.Y.  
DOLLARS \$149.00  
FOR Additional Escrow to cover professional fees.

ACCOUNT	HOW PAID
BEGINNING BALANCE 149.00	CASH
AMOUNT PAID 149.00	CHECK #1148
BALANCE DUE - 0 -	MONEY ORDER

A. Zappalo  
Myra Mason, Secy to the P.B.

96-16  
Map Number 32-97 City [ ]  
Section 4 Block 2 Lot 1.23 Town [X]  
Village [ ] New Windsor

Title: Scaglione, Domenico

Dated: 6-7-96 Filed 2-20-97

Approved by Edward Stent

on 12-23-96

Record Owner Scaglione, Domenico

JOAN A. MACCHI  
Orange County Clerk

RE: R&F – UTILITY EASEMENT-SANDCASTLE HOMES, INC. TO TNW  
CARDAROPOLI, NICHOLAS J., JR. – SCAGLIONE, DOMENICO  
SECTION 4 – BLK. 2 – LOT 7.23

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Utility Easement dated October 28, 1999 from SANDCASTLE HOMES, INC. to TOWN OF NEW WINDSOR, which was recorded in the Orange County Clerk's Office in Liber5208 at page 42 on December 21, 1999.

Town Board Agenda: 03/01/00.

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE  
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

SANDCASTLE HOMES, INC.

TO

TOWN OF NEW WINDSOR

SECTION 4 BLOCK 2 LOT 7.23

RECORD AND RETURN TO:

(Name and Address)

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

ATTORNEY'S OFFICE  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553

#622

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED \_\_\_\_\_ MORTGAGE \_\_\_\_\_ SATISFACTION \_\_\_\_\_ ASSIGNMENT \_\_\_\_\_ OTHER Relay

**PROPERTY LOCATION**

\_\_\_ 2089 BLOOMING GROVE (TN)  
\_\_\_ 2001 WASHINGTONVILLE (VLG)  
\_\_\_ 2289 CHESTER (TN)  
\_\_\_ 2201 CHESTER (VLG)  
\_\_\_ 2489 CORNWALL (TN)  
\_\_\_ 01 CORNWALL (VLG)  
\_\_\_ 00 CRAWFORD (TN)  
\_\_\_ 0 DEERPARK (TN)  
\_\_\_ 30 GOSHEN (TN)  
\_\_\_ 3001 GOSHEN (VLG)  
\_\_\_ 3003 FLORIDA (VLG)  
\_\_\_ 3005 CHESTER (VLG)  
\_\_\_ 3200 GREENVILLE (TN)  
\_\_\_ 3489 HAMPTONBURGH (TN)  
\_\_\_ 3401 MAYBROOK (VLG)  
\_\_\_ 3689 HIGHLANDS (TN)  
\_\_\_ 3601 HIGHLAND FALLS (VLG)  
\_\_\_ 3889 MINISINK (TN)  
\_\_\_ 3801 UNIONVILLE (VLG)  
\_\_\_ 4089 MONROE (TN)  
\_\_\_ 4001 MONROE (VLG)  
\_\_\_ 4003 HARRIMAN (VLG)  
\_\_\_ 4005 KIRYAS JOEL (VLG)

\_\_\_ 4289 MONTGOMERY (TN)  
\_\_\_ 4201 MAYBROOK (VLG)  
\_\_\_ 4203 MONTGOMERY (VLG)  
\_\_\_ 4205 WALDEN (VLG)  
\_\_\_ 4489 MOUNT HOPE (TN)  
\_\_\_ 4401 OTISVILLE (VLG)  
\_\_\_ 4600 NEWBURGH (TN)  
\_\_\_ 4800 NEW WINDSOR (TN)  
\_\_\_ 5089 TUXEDO (TN)  
\_\_\_ 5001 TUXEDO PARK (VLG)  
\_\_\_ 5200 WALLKILL (TN)  
\_\_\_ 5489 WARWICK (TN)  
\_\_\_ 5401 FLORIDA (VLG)  
\_\_\_ 5403 GREENWOOD LAKE (VLG)  
\_\_\_ 5405 WARWICK (VLG)  
\_\_\_ 5600 WAWAYANDA (TN)  
\_\_\_ 5889 WOODBURY (TN)  
\_\_\_ 5801 HARRIMAN (VLG)

**CITIES**

\_\_\_ 0900 MIDDLETOWN  
\_\_\_ 1100 NEWBURGH  
\_\_\_ 1300 PORT JERVIS

NO. PAGES 5 CROSS REF \_\_\_\_\_  
CERT. COPY \_\_\_\_\_ AFFT. \_\_\_\_\_

PAYMENT TYPE: CHECK ☒  
CASH \_\_\_\_\_  
CHARGE \_\_\_\_\_  
NO FEE \_\_\_\_\_

CONSIDERATION \$ \_\_\_\_\_  
TAX EXEMPT \_\_\_\_\_

MORTGAGE AMT \$ \_\_\_\_\_  
DATE \_\_\_\_\_

**MORTGAGE TYPE:**

\_\_\_ (A) COMMERCIAL  
\_\_\_ (B) 1 OR 2 FAMILY  
\_\_\_ (C) UNDER \$10,000.  
\_\_\_ (E) EXEMPT  
\_\_\_ (F) 3 TO 6 UNITS  
\_\_\_ (I) NAT.PERSON/CR.UNION  
\_\_\_ (J) NAT.PER-CR.UN/I OR 2  
\_\_\_ (K) CONDO

*Donna L. Benson*

DONNA L. BENSON  
Orange County Clerk

\_\_\_ 9999 HOLD

RECEIVED FROM:

Sandcastle

LIBER 5208 PAGE 42

ORANGE COUNTY CLERKS OFFICE 70490 MRL  
RECORDED/FILED 12/21/1999 03:10:06 PM

FEES 25.00 EDUCATION FUND 5.00  
SERIAL NUMBER: 004789  
DEED CNTL NO 67562 RE TAX .00



## UTILITY EASEMENT

This Indenture made this 28<sup>th</sup> day of October, 1999, by and between SANDCASTLE HOMES, INC., a New York corporation with an address at 2 Corporate Drive, Central Valley, New York ("Grantor") and the TOWN OF NEW WINDSOR, a municipal corporation with its principal offices located at 555 Union Avenue, Town of New Windsor, County of Orange, State of New York 12550 ("Grantee").

## WITNESSETH

The Grantor, for and in consideration of the sum of TEN and 00/100 (\$10.00) DOLLARS and other good and valuable consideration, paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, convey and release unto the Grantee, its successors or assigns forever, a permanent easement for the purpose of constructing, operation and maintenance of water lines, sewer lines, drainage facilities, and such other utility lines and accessory facilities, including but not limited to wastewater sewer, stormwater sewer, municipal water, and drainage purposes, as the Grantee may elect, upon the terms and conditions hereinafter stated in, on, under, over and through the property of the Grantor situate at the intersection of Union Avenue and Samantha Court, in the Town of New Windsor, County of Orange and State of New York and more particularly described as set forth in Schedule "A" annexed (the "Easement Premises").

1. The Grantor hereby grants and conveys to the Grantee a permanent easement over the Easement Premises for the construction, reconstruction, installation, repair, replacement, maintenance, operation, and removal of such lines, pipes, mains, cleanouts, pressure reducing station, and other necessary or incidental appurtenances thereto, as the Grantee, in its sole judgment, shall deem necessary, together with the right for such purposes to enter onto and over the Grantor's premises.

2. The Grantor hereby grants and conveys to the Grantee the right, at any time, to trim, cut and remove any trees, limbs, shrubs, debris or other objects located within the Easement Premises which, in the sole reasonable judgment of the Grantee, may interfere with, obstruct or endanger the use of the Easement Premises for the Easement purposes herein stated.

3. The Grantee, its successors and assigns, hereby covenants and agrees that whenever it excavates or otherwise substantially disturbs the surface of the Easement Premises, it shall, at its own cost and expense, and to the extent possible without interfering with the Easement purposes stated herein, restore said land to substantially the same condition as existed prior to such excavation or disturbance.

4. The Grantor hereby reserves the right to full use and enjoyment of the Easement Premises, except as is otherwise limited herein and provided such use and enjoyment does not interfere with the use for which this easement is granted.

5. All rights, title and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives.

IN WITNESS WHEREOF, the parties have duly executed this instrument as of the day and year first above written.

**GRANTOR:**

SANDCASTLE HOMES, INC.

By: \_\_\_\_\_

Nicholas J. Cardaropoli, Jr., President

**GRANTEE:**

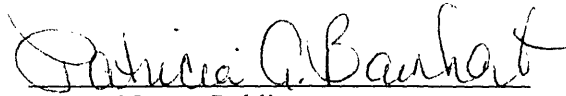
THE TOWN OF NEW WINDSOR

By: \_\_\_\_\_

LIBER 5208 PAGE 43

STATE OF NEW YORK     )  
                                      )  
COUNTY OF ORANGE    )     SS.:

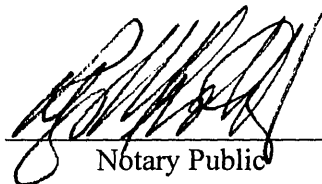
On the 28th day of October, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Nicholas J. Cardaropoli, Jr., personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

  
Notary Public

STATE OF NEW YORK     )  
                                      )  
COUNTY OF ORANGE    )     SS.:

PATRICIA A. BARNHART  
Notary Public, State of New York  
Qualified in Orange County  
Commission Expires August 31, 192001

On the 2nd day of ~~October~~ <sup>NOVEMBER</sup>, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared GEORGE J. MEYERS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

  
Notary Public

PHILIP A. CROTTY  
Notary Public, State of New York  
Qualified in Orange County  
Reg. No. 4520410  
Commission Expires March 30, 2002

LIBER 5208 PAGE 44

**ZIMMERMAN**  
**ENGINEERING & SURVEYING, P.C.**

1

148 Route 17M

Harriman, N.Y. 10928

(914) 782-7978

FAX: 782-3148

GERALD ZIMMERMAN P.E., L.S.

SCHEDULE A

Section 4 - Blk. 2 - Lot 7.23

Job no. 96007

August 3, 1999

**Description  
of  
Proposed Utilities Easement  
Over Lot no. 3 - Section 2**

**"Subdivision Plat of Sections 1 & 2 for Domenico Scaglione"  
Town of New Windsor  
Orange County, New York**

**Beginning at a point at the intersection of the northwesterly corner of lands N/F Figueroa (L.1950 185) with the northeasterly corner of lands N/F Town of New Windsor (L.3775 P.266), said point also being the intersection of the southeasterly corner of Lot no. 3 in Section 2 with the southwesterly corner of Lot no. 4 in Section 2 on a certain map entitled "Subdivision Plat of Sections 1 & 2 for Domenico Scaglione, Town of New Windsor, Orange County, New York, by Zimmerman Engineering and Surveying, dated August 3, 1998;**

**thence, the following eight (8) courses and distances:**

**1) along the northerly line of lands N/F Town of New Windsor and the southerly line of Lot no. 3 in Section 2 on said subdivision map South 81 degrees - 20 minutes - 00 seconds West for a distance of 50.06 feet;**

**2) thence, along the easterly line of lands N/F Newburgh City School District (L.1936 P.1078) and the westerly line of Lot no.3 in Section 2 on said subdivision map North 05 degrees - 49 minutes - 30 seconds West for a distance of 55.54 feet to a point of curvature;**

**3) thence, through Lot no. 3 in Section 2 on said subdivision map for a distance of 137.84 feet, northerly and northeasterly along a curve, concave to the right, said curve having a radius of 100.00 feet, a central angle of 78 degrees - 58 minutes - 42 seconds, and a chord which bears North 33 degrees - 39 minutes - 51 seconds West to a point of tangency;**

4) thence, through Lot no. 3 in Section 2 on said subdivision map North 73 degrees - 09 minutes - 12 seconds East 67.95 feet, and continuing along a prolongation of said line along the division line of Lot no. 2 in Section 2 and Lot no. 3 in Section 2 105.54 feet, for a total distance of 173.49 feet to the cusp of a curve;

5) thence, along the division line of Lot no. 2 in Section 2 and Lot no. 3 in Section 2 on said subdivision map for a distance of 51.58 feet, southerly and southeasterly along a curve, concave to the left, said curve having a radius of 60.00 feet, a central angle of 49 degrees - 15 minutes - 07 seconds, and a chord which bears South 17 degrees - 29 minutes - 08 seconds East;

6) thence, along the division line of Lot no. 3 in Section 2 and Lot no. 4 in Section 2 on said subdivision map, South 73 degrees - 09 minutes - 12 seconds West for a distance of 174.06 feet to a point of curvature;

7) thence, along the division line of Lot no. 3 in Section 2 and Lot no. 4 in Section 2 on said subdivision map for distance of 68.92 feet, southwesterly and southerly along a curve, concave to the left, said curve having a radius of 50.00 feet, a central angle of 78 degrees - 58 minutes - 42 seconds, and a chord which bears South 33 degrees - 39 minutes - 51 seconds West to a point of tangency;

8) thence, along the division line of Lot no. 3 in Section 2 and Lot no. 4 in Section 2 on said subdivision map, South 05 degrees - 49 minutes - 30 seconds East for distance of 53.06 feet to the **point or place of beginning**, containing in area 16,389 square feet or 0.38 acres of land, more or less.

A:\9607EASE.WPD

FOR COUNTY USE ONLY

C1. SWIS Code

C2. Date Deed Recorded

Month / Day / Year

C3. Book

C4. Page



REAL PROPERTY TRANSFER REPORT

STATE OF NEW YORK  
STATE BOARD OF REAL PROPERTY SERVICES

RP - 5217

RP-5217 Rev 3/97

PROPERTY INFORMATION

1. Property Location  
STREET NUMBER: T/New Windsor  
STREET NAME: Union Avenue  
CITY OR TOWN: T/New Windsor  
VILLAGE: 12553  
ZIP CODE: 12553

2. Buyer Name  
LAST NAME / COMPANY: Town of New Windsor  
FIRST NAME:   
LAST NAME / COMPANY:   
FIRST NAME:

3. Tax Billing Address  
Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form)  
LAST NAME / COMPANY:   
FIRST NAME:   
STREET NUMBER AND STREET NAME:   
CITY OR TOWN:   
STATE:   
ZIP CODE:

4. Indicate the number of Assessment Roll parcels transferred on the deed:   
# of Parcels:   
OR ☐ Part of a Parcel  
(Only if Part of a Parcel) Check as they apply:  
4A. Planning Board with Subdivision Authority Exists ☐  
4B. Subdivision Approval was Required for Transfer ☐  
4C. Parcel Approved for Subdivision with Map Provided ☐

5. Deed Property Size  
FRONT FEET:   
X DEPTH:   
OR ACRES: .

6. Seller Name  
LAST NAME / COMPANY: Sandcastle Homes, Inc.  
FIRST NAME:   
LAST NAME / COMPANY:   
FIRST NAME:

7. Check the box below which most accurately describes the use of the property at the time of sale:  
A ☐ One Family Residential  
B ☐ 2 or 3 Family Residential  
C ☐ Residential Vacant Land  
D ☐ Non-Residential Vacant Land  
E ☐ Agricultural  
F ☐ Commercial  
G ☐ Apartment  
H ☐ Entertainment / Amusement  
I ☐ Community Service  
J ☐ Industrial  
K ☐ Public Service  
L ☐ Forest  
Check the boxes below as they apply:  
8. Ownership Type is Condominium ☐  
9. New Construction on Vacant Land ☐  
10A. Property Located within an Agricultural District ☐  
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District ☐

SALE INFORMATION

11. Sale Contract Date  
Month / Day / Year

12. Date of Sale / Transfer  
Month / Day / Year

13. Full Sale Price: \$ 0 0 0

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Indicate the value of personal property included in the sale: \$ 0 0 0

15. Check one or more of these conditions as applicable to transfer:

- A ☐ Sale Between Relatives or Former Relatives  
B ☐ Sale Between Related Companies or Partners in Business  
C ☐ One of the Buyers is also a Seller  
D ☐ Buyer or Seller is Government Agency or Lending Institution  
E ☐ Deed Type **not** Warranty or Bargain and Sale (Specify Below)  
F ☐ Sale of Fractional or Less than Fee Interest (Specify Below)  
G ☐ Significant Change in Property Between Taxable Status and Sale Dates  
H ☐ Sale of Business is Included in Sale Price  
I ☐ Other Unusual Factors Affecting Sale Price (Specify Below)  
J ☐ None

NEW YORK STATE  
COPY



PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 01/13/97

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 96-16

NAME: SCAGLIONE, DOMENICO SUBDIVISION  
APPLICANT: SCAGLIONE, DOMENICO

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
12/23/96	PLANS STAMPED	APPROVED
10/09/96	P.B. APPEARANCE	APPROVE
10/02/96	WORK SESSION APPEARANCE	NEXT AGENDA
07/10/96	P.B. APPEARANCE . SEE NOTE IN PLAN OF PHONE CALL TO OCDPW	NEED D.P.W. APPROVAL
06/26/96	P.B. APPEARANCE	REVISE & RETURN
06/26/96	P.B. APPEARANCE - CON'T	WAIVE P.H. LA:ND
06/05/96	P.B. WORKSHOP APPEARANCE	SUBMIT

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 01/13/97

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 96-16

NAME: SCAGLIONE, DOMENICO SUBDIVISION  
APPLICANT: SCAGLIONE, DOMENICO

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
REV3	09/17/96	MUNICIPAL HIGHWAY	09/18/96	APPROVED
REV3	09/17/96	MUNICIPAL WATER . NOTIFY WATER DEPT. FOR LOCATION OF WATER LINES AND HOOK UP	09/18/96	APPROVED
REV3	09/17/96	MUNICIPAL SEWER	/ /	
REV3	09/17/96	MUNICIPAL FIRE	09/17/96	APPROVED
REV2	07/15/96	MUNICIPAL HIGHWAY	07/19/96	APPROVED
REV2	07/15/96	MUNICIPAL WATER . WATER IS AVAILABLE - NOTIFY WATER DEPT. FOR INFORMATION ON . TAP REQUIREMENTS	07/16/96	APPROVED
REV2	07/15/96	MUNICIPAL SEWER	09/17/96	SUPERSEDED BY REV3
REV2	07/15/96	MUNICIPAL FIRE	07/23/96	APPROVED
REV1	07/03/96	MUNICIPAL HIGHWAY	07/09/96	APPROVED
REV1	07/03/96	MUNICIPAL WATER	07/09/96	APPROVED
REV1	07/03/96	MUNICIPAL SEWER	07/15/96	SUPERSEDED BY REV2
REV1	07/03/96	MUNICIPAL FIRE	07/09/96	APPROVED
ORIG	06/24/96	O.C.D.P.W. GILSON	09/03/96	APPROVED
ORIG	06/20/96	MUNICIPAL HIGHWAY	06/24/96	APPROVED
ORIG	06/20/96	MUNICIPAL WATER	06/21/96	APPROVED
ORIG	06/20/96	MUNICIPAL SEWER	07/03/96	SUPERSEDED BY REV1
ORIG	06/20/96	MUNICIPAL FIRE	06/25/96	APPROVED

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 12/11/96

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 96-16

NAME: SCAGLIONE, DOMENICO SUBDIVISION  
APPLICANT: SCAGLIONE, DOMENICO

--DATE--	DESCRIPTION-----	TRANS	--AMT--CHG	-AMT-PAID	--BAL--DUE
06/20/96	REC. CK. #1117	PAID		300.00	
06/26/96	P.B. ATTY. FEE	CHG	35.00		
06/26/96	P.B. MINUTES	CHG	63.00		
07/10/96	P.B. ATTY. FEE	CHG	35.00		
07/10/96	P.B. MINUTES	CHG	31.50		
10/09/96	P.B. ATTY. FEE	CHG	35.00		
10/09/96	P.B. MINUTES	CHG	9.00		
11/06/96	P.B. ENGINEER FEE	CHG	240.50		
12/10/96	REC. CK. #1148	PAID		149.00	
		TOTAL:	449.00	449.00	0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 12/11/96

PAGE: 1

LISTING OF PLANNING BOARD FEES  
RECREATION

FOR PROJECT NUMBER: 96-16

NAME: SCAGLIONE, DOMENICO SUBDIVISION  
APPLICANT: SCAGLIONE, DOMENICO

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/06/96	1 LOT	CHG	500.00		
12/10/96	REC. CK. #1150	PAID		500.00	
		TOTAL:	500.00	500.00	0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 12/11/96

PAGE: 1

LISTING OF PLANNING BOARD FEES  
APPROVAL

FOR PROJECT NUMBER: 96-16

NAME: SCAGLIONE, DOMENICO SUBDIVISION

APPLICANT: SCAGLIONE, DOMENICO

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
11/06/96	APPROVAL FEE	CHG	260.00		
12/10/96	REC. CK. #1147	PAID		260.00	
		TOTAL:	260.00	260.00	0.00

11/6/96

SUBDIVISION FEES - TOWN OF NEW WINDSOR

MINOR SUBDIVISION FEES:

APPLICATION FEE.....\$ 50.00

Pd

ESCROW:

RESIDENTIAL:

\_\_\_ LOTS @ 150.00 (FIRST 4 LOTS).....\$  
\_\_\_ LOTS @ 75.00 (ANY OVER 4 LOTS).....\$

COMMERCIAL:

\_\_\_ LOTS @ 400.00 (FIRST 4 LOTS).....\$  
\_\_\_ LOTS @ 200.00 (ANY OVER 4 LOTS).....\$

TOTAL ESCROW DUE....\$

\*\*\*\*\*

APPROVAL FEES MINOR SUBDIVISION:

PRE-PRELIMINARY PLAT APPROVAL.....\$ 50.00  
PRELIMINARY PLAT APPROVAL .....\$ 100.00  
FINAL PLAT APPROVAL (\$100.00 + \$5.00/LOT).....\$ 110.00  
FINAL PLAT SECTION FEE.....\$ 100.00  
BULK LAND TRANSFER...(\$100.00).....\$

TOTAL SUBDIVISION APPROVAL FEES.....\$ 260.00

①

\*\*\*\*\*

RECREATION FEES:

\_\_\_ LOTS @ \$500.00 PER LOT .....\$ 500.00

②

\*\*\*\*\*

THE FOLLOWING CHARGES ARE TO BE DEDUCTED FROM ESCROW:

PLANNING BOARD ENGINEER FEES.....\$ 449.00  
PLANNING BOARD ATTORNEY FEES.....\$ 310.00  
MINUTES OF MEETINGS.....\$  
OTHER.....\$ 149.00

\*\*\*\*\*

PERFORMANCE BOND AMOUNT.....\$ N/A

4% OF ABOVE AMOUNT.....\$

ESTIMATE OF PRIVATE IMPROVEMENTS: \$ N/A

2% OF APPROVED COST ESTIMATE:.....\$  
(INSPECTION FEE)

AS OF: 11/06/96

PAGE: 1

## CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD (Chargeable to Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK: 96- 16

FOR WORK DONE PRIOR TO: 11/06/96

										-----DOLLARS-----			
TASK-NO	RBC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION-----	RATE	HRS.	TIME	EXP.	BILLED	BALANCE	
96-16	99432	04/17/96	TIME	MJB	WS	SCAGLIONE SUB	70.00	0.40	28.00				
96-16	03764	06/05/96	TIME	MJB	WS	SCAGLIONE SUB	70.00	0.40	28.00				
96-16	05549	06/20/96	TIME	MJB	MC	SCAGLIONE W/SUPV	70.00	0.30	21.00				
96-16	05551	06/21/96	TIME	MJB	MC	SCAGLIONE	70.00	0.50	35.00				
96-16	05237	06/24/96	TIME	MCK	CL	SCAGLIONE COMMENTS	25.00	0.50	12.50				
									-----				
									124.50				
96-16	06325	06/30/96				BILL 96-493 7/15/96 PD					-96.50		
												-----	
												-96.50	
96-16	07764	07/09/96	TIME	MJB	MC	SCAGLIONE	70.00	0.50	35.00				
96-16	06569	07/10/96	TIME	MCK	CL	SCAGLIONE-COMMENTS	25.00	0.50	12.50				
									-----				
									172.00				
96-16	15431	09/30/96				BILL 96-709 10/21/96					-75.50		
												-----	
												-172.00	
96-16	14007	10/02/96	TIME	MJB	WS	SCAGLIONE	70.00	0.40	28.00				
96-16	13798	10/09/96	TIME	MJB	MM	SCAGLIONE SUB APPL	70.00	0.10	7.00				
96-16	14656	10/09/96	TIME	MCK	CL	SCAGLIONE COMMENTS	25.00	0.50	12.50				
96-16	15833	10/09/96	TIME	MJB	MC	SCAGLIONE	70.00	0.30	21.00				
									=====	=====	=====	=====	
TASK TOTAL									240.50	0.00	-172.00	68.50	
. . . . .													
									=====	=====	=====	=====	
GRAND TOTAL									240.50	0.00	-172.00	68.50	

DATE: Oct. 2, 1996

\* \* \* \* \*

\* CARRIED: YES: \_\_\_\_\_ NO \_\_\_\_\_

\* \* \* \* \*

APPROVAL:

DISCUSSION/APPROVAL CONDITIONS:

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McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

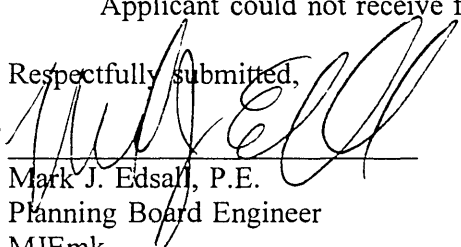
- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ **Branch Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**REVIEW NAME:** SCAGLIONE MINOR SUBDIVISION  
**PROJECT LOCATION:** UNION AVENUE (COUNTY ROUTE 69)  
**PROJECT NUMBER:** 96-16  
**DATE:** 9 OCTOBER 1996  
**DESCRIPTION:** THE APPLICATION INVOLVES THE MINOR SUBDIVISION OF AN EXISTING 4.74 +/- ACRE PARCEL INTO TWO (2) SINGLE-FAMILY RESIDENTIAL LOTS. THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 26 JUNE 1996 AND 10 JULY 1996 PLANNING BOARD MEETINGS.

1. All previous review comments have been addressed by the Applicant's Surveyor. In addition, the Applicant has received approval from the Orange County Department of Public Works.
2. The Board should verify that a Negative Declaration has been adopted under the SEQRA review process.
3. Once all the procedural items have been addressed, I am aware of no reason why the Applicant could not receive final subdivision approval.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer  
MJE mk  
A:SCAGLI3.mk



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

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PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B #       

WORK SESSION DATE: 17 April 96 APPLICANT RESUB.  
REQUIRED: later

REAPPEARANCE AT W/S REQUESTED: yes

PROJECT NAME: Scaglione

PROJECT STATUS: NEW X OLD       

REPRESENTATIVE PRESENT: Dominic S / Jerry Z

MUNIC REPS PRESENT: BLDG INSP. Rich  
FIRE INSP. Rich  
ENGINEER X  
PLANNER         
P/B CHMN.         
OTHER (Specify)       

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- need to check possible connection to Summit  
Check records of lot on Summit
  - Carb bed to Union - Q will IPW want opposite Carroll Drive
  - Disc sewer manure - Majestic option
  - Disc dry sewer need possibility
  - wants to get one B/P now on overall lot (caution re place not to cause prob for this subdr)  
(to return to w/s)
- (Mike B says 50' strip to Summit now owned by Town per court case)

4MJE91 pbwsform

SCAGLIONE SUBDIVISION (96-16) UNION AVENUE

Mr. Dave Baker from Zimmerman Engineering appeared before the board for this proposal.

MR. PETRO: Was your final approval pending?

MR. BAKER: Review of Bob Gilson pending in the county and that has been addressed, I believe the town and we have gotten a letter from Mr. Gilson, so has the town, everything is fine.

MR. PETRO: It was my understanding this was subject to. Why are they appearing again tonight?

MR. EDSALL: Not as I recall.

MR. BAKER: I think you wanted to get confirmation from the county from Gilson.

MR. PETRO: Did we do negative dec on this?

MS. MASON: Yes.

MR. PETRO: Let me just check the other.

MR. LUCAS: We were only worried about the--

MR. PETRO: Entranceway. We have heard back, it's in the file.

MS. MASON: Right here.

MR. PETRO: Approved on 9/3/96 by the Orange County Department of Public Works. We also have highway approval 9/18/96, and fire approval 9/17/96. Is there any other outstanding issue that any of the board members would like to look at? I think we discussed everything at the last meeting. If not, I'll entertain a motion.

MR. STENT: Make a motion we declare negative dec.

MR. PETRO: That is done, it's for approval.

October 9, 1996

7

MR. STENT: Make a motion we approve the Scaglione minor subdivision on Union Avenue.

MR. DUBALDI: I'll second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare final approval on the Scaglione minor subdivision on Union Avenue. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 10/09/96

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 96-16

NAME: SCAGLIONE, DOMENICO SUBDIVISION  
APPLICANT: SCAGLIONE, DOMENICO

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	06/20/96	EAF SUBMITTED	06/20/96	WITH APPLICATION
ORIG	06/20/96	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	06/20/96	LEAD AGENCY DECLARED	06/26/96	TOOK LEAD AGENCY
ORIG	06/20/96	REQUEST FOR INFORMATION	/ /	
ORIG	06/20/96	DECLARATION (POS/NEG)	06/26/96	DECL. NEG. DEC.



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PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # 96-16  
WORK SESSION DATE: 2 Oct 96 APPLICANT RESUB.  
REQUIRED: No  
REAPPEARANCE AT W/S REQUESTED: No  
PROJECT NAME: Scagliore  
PROJECT STATUS: NEW \_\_\_\_\_ OLD \_\_\_\_\_  
REPRESENTATIVE PRESENT: Scagliore / Jerry Z  
MUNIC REPS PRESENT: BLDG INSP. \_\_\_\_\_  
FIRE INSP. X  
ENGINEER X  
PLANNER \_\_\_\_\_  
P/B CHMN. \_\_\_\_\_  
OTHER (Specify) \_\_\_\_\_

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

ck vs 7/10/96 comments → OK

10/9 agenda.

4MJE91 pbwsform



Joseph G. Rampe  
County Executive

## DEPARTMENT OF PUBLIC WORKS

John R. Brusko, P.E.  
Commissioner

P.O. Box 509, Route 17M  
Goshen, New York 10924

TEL (914) 294-7951 • FAX (914) 294-1661

September 3, 1996

Mr. James Petro, Chairman  
Town of New Windsor Planning Board  
555 Union Avenue  
New Windsor, New York 12553

RE: SCAGLIONE SUBDIVISION  
CR-69 (UNION AVENUE)

Dear Mr. Petro:

We have reviewed the above subdivision and County Department of Public Works approval is hereby granted under the provisions of Section 239-k of the General Municipal Law. Therefore, it is now referred back to your board for action and/or approval.

A highway work permit under Section 136 of the Highway Law shall be secured from this office prior to any site preparation or construction.

Very truly yours,

Robert W. Gilson  
Senior Engineer

RWG/cas

cc: Zimmerman Engineering, P.C.

CC: M.E.

ZIMMERMAN  
ENGINEERING & SURVEYING, P.C.

Route 17M

Harriman, N.Y. 10926

(914) 782-7976

FAX: 782-3148

August 27, 1996

GERALD ZIMMERMAN P.E., L.S.

Mr. Robert Gilson, Senior Engineer  
Orange County  
Department of Public Works  
Route 17M, P. O. Box 509  
Goshen, NY 10924

Re: Subdivision for Domenico Scaglione  
Tax Map: Section 4 Block 2 Lot 7.23  
Town of New Windsor  
Our Job No. 96007

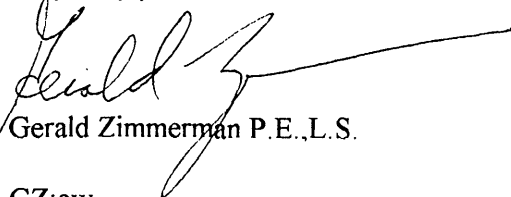
Dear Mr. Gilson:

In follow up to our telephone contact this date and as you requested we are providing you with two copies of subdivision plans last revised August 27, 1996. Revision as requested are as follows:

1. Added, no site preparation note to sheets 1 and 2.
2. Increased length of stabilized construction entrance to 75'.

I trust the above responds to your request and would appreciate your approval of the plans at your earliest convenience.

Very truly yours,



Gerald Zimmerman P.E., L.S.

GZ:aw

enc.

CC: Town of New Windsor Planning Board  
Mr. Domenico Scaglione





ORANGE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
Route 17M, P.O. Box 509, Goshen, New York 10924  
Tel.# (914) 294-7951 Fax.# (914) 294-1661

DATE: AUGUST 12, 1996

TIME: \_\_\_\_\_

PROJECT REF: Sc ADRIAN - C1269

URGENT: \_\_\_\_\_

ROUTINE: ✓

TO: James Petro, Jr. Chairman - Town of New Windsor  
RE: TRAIL ROAD - NEW WINDSOR, N.Y.  
FAX.#: 914-563-7643

FROM: Robert Gilson, Senior EngineerFAX: (914) 294-1661TELEPHONE: (914) 294-7951

## ADDITIONAL MESSAGE:

Plan as submitted and prepared by  
Tommy's Engineering dated 6-7-96 is rejected  
as an incomplete submission per County Policy  
& Standards and in addition we will be requesting  
additional R.O.W. Therefore the Town Planning Board  
appeal should be pulled. Thank you.

NUMBER OF PAGES: \_\_\_\_\_ (INCLUDING THIS COVER SHEET)

SENDER'S INITIALS: DMC

PLANNING BOARD FILE NUMBER: 96-16 - Scagione

MEMORANDUM FOR FILE

DATE: 7-11-96

On this date: I spoke to Bob Gibson of O.C.D.P.W.  
He said he could not find the plan submitted  
to him and would I resubmit. I then spoke to Anthony  
Vaccaro of Zimmerman Eng - He said they were revising  
the plan. I told him to bring the revised plan to me  
A.S.A.P. and I would resubmit it from here. He Agreed.

McC. Gibson said he would try to review it by  
Monday.

(72)

8/7/96 I spoke to Bob Gibson - he said he  
had a death in his family and has  
been behind - he will review it tomorrow  
and fax something to me.

(73)

SCAGLIONE, DOMENICO SUBDIVISION (96-16) UNION AVENUE

Mr. Anthony Viccaro from Zimmerman Engineering appeared before the board for this proposal.

MR. PETRO: We know you were at the last meeting, the board requested a few changes and a few notes added to the plan. Can you just go over that briefly please?

MR. VICCARO: Okay, the major concern of the night by the planning board was that the driveway access to Union Avenue and at the present time, we don't want to have any possibility that access can go through the rear yard, unlikely as that might seem, we added a note to the plan feet.

MR. PETRO: Note number 5.

MR. VICCARO: Yes, that is, that indicates that driveways for lots 1 and 2 will be as shown on the plan and no further deviation or change to that can occur unless further planning board approval or review is had by the planning board. And that would be filed with the map.

MR. STENT: You found out that the lot 21 down there is owned by the Town of New Windsor?

MR. VICCARO: Yes, that was investigated, that was the next concern that indicated on the plan hopefully that area, that has been revised.

MR. PETRO: Mark, did you read, Andy or Mark, have you read note number 5, it was number 5 is supposed to be for two reasons. One, not to go through the Park Hill subdivision from the abandoned lot or county's lot, whoever owns that lot at this time and the second purpose for the note was so that the lane off Union Avenue could not be utilized to service the back of the property. I think that the note somehow should read only access from Union Avenue, Union Avenue is not mentioned anywhere in the note. Unless you feel that it does what I am asking.

MR. EDSALL: I know what you're trying to accomplish

and I thought it was discussed and then it was decided that the applicant could not access through this lot 21 on the bottom because it's not a municipal road and it's owned by the Town of New Windsor. So unless the town approved it, they couldn't access there anyway so that means as they are shown they are forced to access off Union Avenue and what we're trying to do was have them maintain that location for the two driveways and then also require that if a private road goes in, let's say it's a cul-de-sac dead-end private road, they'd have to relocate those two driveways so we couldn't get into an argument with the two property owners, whether they'd need to relocate the driveway, it would be mandatory. Note 5 accomplishes what I asked for, I think the note you're asking for is something over and above that.

MR. PETRO: For the lane basically.

MR. EDSALL: For preventing them from going through.

MR. PETRO: See the lane that access is off Union Avenue itself, that double line that runs parallel to all the easterly lots?

MR. LANDER: Yes, Mr. Chairman, I do.

MR. PETRO: He can come right down the lane, access the back of this property, almost hundreds of feet of property there.

MR. EDSALL: Well, Jim, also the first line, the first sentence of note 5 says is that the driveway location shown on the plan for lots 1 on and 2 shall not be changed so that locks in those two driveway locations.

MR. PETRO: That takes care of lot 1 and 2, what about a further subdivision?

MR. EDSALL: Any further subdivision has to come back to this board anyway. We don't know if between now and when they come back they can purchase that property and the deed restrictions could be relieved, things can happen.

MR. LUCAS: Do they now, could they now access the old lane, could they use that from Union now or--

MR. PETRO: The first property up on the corner obviously I don't see their name there.

MR. DUBALDI: McPhillips.

MR. PETRO: Yes, obviously, John uses it and in the deed restriction for the lane, I only know this because it happens to be my uncle, he happens to use the lane, that it is for farm purposes only and the way he explains it to me is each property owner owns to the center line of that lane so that would be again what Mark just said, it's possible for Dominick to purchase all those pieces of property maybe and then do what he wants.

MR. EDSALL: It could go the other way where the other people could purchase the other side of the strip and he could give it up and the next subdivision that comes in he may not own the strip at all.

MR. LUCAS: As this reads they can only access to those lots now off Union Avenue, if they were to come and reopen this piece of property, they still have to come to the planning board.

MR. EDSALL: Yeah.

MR. PETRO: Dom, do you have any future plans to access that lane?

MR. SCAGLIONE: On Union Avenue?

MR. PETRO: The lane that goes Union Avenue all the way behind your property the old lane, that lane used to go down to the peach orchards is what that lane is for.

MR. LUCAS: Isn't there a stone wall that goes all the way?

MR. PETRO: Yes, that was the actual farm lane.

MR. DUBALDI: Leads all the way over to Temple Hill

school if you follow it.

MR. VICCARO: For the record, it's this.

MR. SCAGLIONE: Yeah, I think we have drawing on the original plan for the 4 lot subdivision where we'd want to go first I think we're talking about.

MR. VICCARO: It's not accessing here, it's--

MR. PETRO: You're going to utilize your own property?

MR. SCAGLIONE: I think it was that from this driveway going out across and tie it up over here on this driveway over here, whatever right-of-way's, whatever.

MR. VICCARO: Let the record show that we don't have any intention to build a road along the easterly property line, that is just an adjunct to this overall property.

MR. STENT: But his intent might be to cut through on Summit on the back side here.

MR. VICCARO: That is a possibility but we don't show that now and we're not asking for approval on that.

MR. PETRO: Okay.

MR. EDSALL: Just for the record again they were in the workshop several times and they never indicated any intent to use this thin strip 1.57 foot wide strip along the east side. However, as Mr. Scaglione indicates, when we discussed in concept future subdivision, I suggested that they lay it out so that if the town decides they want to have that cross connection, it's possible obviously the town at some point the planning board decided it was important to have 50 foot strip so that if access could be made to all the lots and I thought it would be extremely poor planning to have him lay the subdivision out and eliminate the possibility.

MR. PETRO: For years one entrance out of Park Hill being that the road's looped, you still have to come

out.

MR. EDSALL: Let me just finish what I have done. I have told the supervisor that that was a possibility, he said fine, it's correct that you have them lay it out so that it could happen, make the decision obviously will occur if it will happen later on so that is all I have asked from them is that they lay it out so it could happen and we won't know until then.

MR. PETRO: Any other subject?

MR. VICCARO: Well we did, I have a copy of Mark Edsall's comment letter and that is dated today and apparently, there's a typo in the proposed bulk requirements or bulk table and as far as I know, the proposed lots could conform to the bulk requirements.

MR. LANDER: Do you have anything back from Orange County yet?

MR. VICCARO: No, that is still in the review.

MR. PETRO: Is it over 30 days? When were you here last, June 26th?

MR. VICCARO: Correct.

MR. LANDER: You have to give them 30 days.

MR. EDSALL: Mr. chairman, the 30 day applied to the Orange County Planning Department which we no longer send plans to, that is for the department of public works, two different issues.

MR. PETRO: How long do they have?

MR. EDSALL: I don't know that we have any control over how long they have to review a plan.

MR. LANDER: Would they deny it?

MR. EDSALL: I don't believe you can approve it until you get something back.

MR. PETRO: One way or another.

MR. EDSALL: Yes.

MR. PETRO: We do have fire approval on 6/25/96 and highway approval on 6/24/96 and fire approval on 7/9/26. So subject to hearing back from the OCDPW, Mark, do you have any other comments here?

MR. EDSALL: That is the big one, if you guys can shake a response out of the department of public works.

MR. VICCARO: That appears to be our biggest problem because we have to work with them to make sure that their department is satisfied but so the other comments that Mark made I believe that we can scare that away between now and then, then being the time we get approval from the county DPW.

MR. PETRO: Mark, I just asked Andy to do subject to is too open ended, if you wind up getting any denial from them for some reason.

MR. EDSALL: I would feel comfortable if you had gotten some response and they said make these three or four corrections and at least you know they have no objection to location but we haven't heard anything from them, so if you get a response or if we get a response that indicates minor issues.

MR. PETRO: You have to to wait another two weeks.

MR. SCAGLIONE: Well, we got to wait, we got to wait.

MR. PETRO: You'll be on the next agenda, give them a ring and get them, go find out what's going on.

MR. LANDER: They don't even know they own this road, who are you kidding? I called them to complain about something they said well, where is it, I said Ehiphany College, you know, between the two and he says we don't own that road. I said yeah, county 69.

MR. DUBALDI: Who said that?



July 10, 1996

27

MR. LANDER: The guy out there in DPW, we don't own that road.

MR. DUBALDI: In the New Windsor station?

MR. LANDER: No, it was in Goshen.

MR. PETRO: We're going to have Myra call also tomorrow, she suggested that she would do it.

MR. VICCARO: I have no leverage to get them to do something.

MR. PETRO: Myra will verify that they received it, reviewed it and response is on the way.

MR. LUCAS: You answered all the other questions from the last meeting.

MR. EDSALL: There's some minor corrections to be made, if they had county approval, you'd be done.

MR. PETRO: If we did it subject to, it's just too big of a denial, it just wouldn't be the right thing to do so we'll see you in two weeks.

# RETAKE OF PREVIOUS DOCUMENT

July 10, 1996

27

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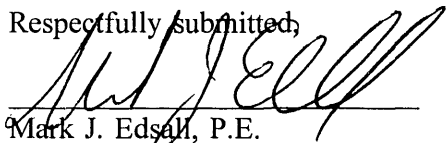
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**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**REVIEW NAME:** SCAGLIONE MINOR SUBDIVISION  
**PROJECT LOCATION:** UNION AVENUE (COUNTY ROUTE 69)  
**PROJECT NUMBER:** 96-16  
**DATE:** 10 JULY 1996  
**DESCRIPTION:** THE APPLICATION INVOLVES THE MINOR SUBDIVISION OF AN EXISTING 4.74 +/- ACRE PARCEL INTO TWO (2) SINGLE-FAMILY RESIDENTIAL LOTS. THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 26 JUNE 1996 PLANNING BOARD MEETING.

1. I reviewed the latest plan submitted and I have the following comments:
  - a. There still appears to be the need for corrections to the "proposed" values of the bulk table.
  - b. The plan continues to be unclear as to the possible need for a sewer ejector for the house on Lot 2. If one is required for this lot (and/or Lot 1), same should be indicated on the plan so as to disclose this requirement.
  - c. The Applicant's Surveyor has added notes 5 and 6 to the plan which address the possible future roadway construction and future utilities. I believe these notes are acceptable. The Board should verify same with the Planning Board Attorney.
2. The application was forwarded to the Orange County Department of Public Works for their review and approval, since Union Avenue is a County road. I am not aware of any response being obtained as of this time.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer  
MJEmk  
A:SCAGLI2.mk

RESULTS OF P.B. MEETING

DATE: 7/10/96

PROJECT NAME: Seaglow Sub. PROJECT NUMBER 96-16

\* \* \* \* \*

LEAD AGENCY: \_\_\_\_\_ NEGATIVE DEC: \_\_\_\_\_  
M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_ M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_

CARRIED: YES \_\_\_\_\_ NO \_\_\_\_\_ CARRIED: YES: \_\_\_\_\_ NO \_\_\_\_\_

\* \* \* \* \*

PUBLIC HEARING: M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_\_\_

WAIVED: YES \_\_\_\_\_ NO \_\_\_\_\_

SEND TO OR. CO. PLANNING: M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_ YES \_\_\_ NO \_\_\_\_\_

SEND TO DEPT. OF TRANSPORT: M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_ YES \_\_\_ NO \_\_\_\_\_

DISAPP: REFER TO Z.B.A.: M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_ YES \_\_\_ NO \_\_\_\_\_

RETURN TO WORK SHOP: YES \_\_\_\_\_ NO \_\_\_\_\_

APPROVAL:

M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_ APPROVED: \_\_\_\_\_

M) \_\_\_ S) \_\_\_ VOTE: A \_\_\_ N \_\_\_ APPR. CONDITIONALLY: \_\_\_\_\_

NEED NEW PLANS: YES \_\_\_\_\_ NO \_\_\_\_\_

DISCUSSION/APPROVAL CONDITIONS: \_\_\_\_\_

Need DPW approval

Next Agenda

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REGULAR ITEMS:

SCAGLIONE, DOMENICO SUBDIVISION (96-16) UNION AVENUE

MR. PETRO: Can you state your name for the stenographer?

MR. VICCARO: Anthony Viccaro from Zimmerman Engineering, I'm here with the applicant, Mr. Scaglione. This is a two lot subdivision on Union Avenue, this is on 4.7 acres of land.

MR. LANDER: Whereabouts? Oh, okay, Cimorelli Drive, Okay, it's right across the street from Cimorelli Drive. I answered my own question, all I had to do is look.

MR. VICCARO: Zoned for 15,000 square feet, we're proposing two dwellings and we want to connect to the public water and sewer, no sewer extension would be required as we'd be able to have direct service to the existing sewer on Union Avenue.

MR. PETRO: Outline the entire four acre parcel, I think I see it there.

MR. VICCARO: Starting from the upper left-hand corner tracing it, it goes back along the stone wall and then this is the property line that would be common to lots 1 and 2 but, there's an existing easement that kind of backs around the property located here so this is a part of the subdivision but for all intents and purposes, the main property is traced right here.

MR. PETRO: You're not using this easement for any purpose on this subdivision, obviously?

MR. VICCARO: No, just representative because that is how it's represented on the filed map.

MR. PETRO: Andy and Mark, I want to put this in the minutes only because I only happen to know my uncle owns property to the east of this N/F Petro, a little to the east, he informs me that that easement or lane as they called it for years is for farm purposes only

and it's written into the deeds of all the property owners. So we should keep that in mind in case there ever comes another time. Obviously, it doesn't affect this particular subdivision but that easement cannot be used to access that property.

MR. LUCAS: Then the bulk of this piece of property can't be.

MR. LANDER: I think there is 50 foot off Ona Lane on that between Figuora, see section 8 block 1 lot 21, does your client own that?

MR. DUBALDI: That is his.

MR. STENT: I'm confused with the map cause I live next door to Ponessa and my back yard goes on Figuora's.

MR. LANDER: Your back yard goes onto Figuora?

MR. STENT: We're on the cul-de-sac.

MR. DUBALDI: You own next to Ponessa?

MR. LANDER: No, next to Figuora on the left-hand side of Figuora.

MR. STENT: Figuora is on Summit and I'm on Ona Lane next to Ponessa.

MR. DUBALDI: You're talking about the one to the left, not to the right.

MR. LANDER: It's Summit Drive, it's the one on the left, does that, does your client own that, that would be his access into this property to answer your question if he does own it.

MR. VICCARO: I'm not sure which area are you talking about?

MR. LANDER: Right here, this one.

MR. VICCARO: We have two driveways coming out to Union Avenue and there's 62 foot frontage for lot 2 so that

has the frontage onto Union Avenue.

MR. PETRO: Show us basically on lot 2 if we're going to be remaining approximately 4.4 acres.

MR. LANDER: So you don't know if you own this, it says County of Orange.

MR. EDSALL: I believe it's shown as being County of Orange but I believe the County sold it at a tax sale and then that was overridden because they found out there was an offer of dedication to the town. So I believe either the county or a judge decided that in fact that is not owned by the County of Orange but as property that has been now given to the Town of New Windsor since there was an offer of dedication and apparently was given up for taxes and I believe the town purchased it at tax cost or the county owns it with an offer of dedication to the town. So we really should really have them verify who really owns it and we could verify that there is a current offer.

MR. DUBALDI: I remember an applicant and I believe that it's this strip of property that came in looking for a variance to put a house on that little strip, I remember that they were in front of the zoning board and they got voted down.

MR. LANDER: That was supposed to be a spur to open up into this property.

MR. PETRO: Mark, let me ask you this, up on Union Avenue, it looks like there's still ample land, is that what you're saying that you are going to leave a 62 foot section of land here to access lot 2 in the future?

MR. VICCARO: Well, lot 2 it won't be in the future, it would be now upon approval it has, it's almost like a flag lot if you will, it has 62 foot frontage and the driveway connects right here.

MR. PETRO: You're using the driveway on the, on the 62 foot so it is not 62 foot in addition to the driveway.



MR. EDSALL: Jim, just to clarify it was discussed at the meeting I believe it's their intent to sell off lot one now and have the availability to further subdivide lot 2 if they care to do so.

MR. PETRO: But off of Union Avenue obviously.

MR. EDSALL: And the driveway if you read my comments, one of the suggestions is that we follow up on something that was discussed at the workshop that if and when that road is created, we by note on the plan and maybe by a restriction of deed require that the driveways go again then to the new road rather than to Union Avenue.

MR. PETRO: As it stands, we're still reviewing as it stands they could build the house there.

MR. EDSALL: If they decide to sell lot 2, that house could be built and then the owner of lot 2 could come back and propose either a private road or town road or they could sell lot 1 and then the current owner could just hold onto lot 2 and in the future do it. So right now, you're reviewing a two lot subdivision but I'll tell you that as good planning, we have set it up so they can properly develop another road opposite Cimorelli Drive which is the intent to have it opposite.

MR. PETRO: The two driveways put together like that I think in the past I don't know Mr. Pullar's position on it but he did not like them together, is that correct?

MR. EDSALL: He had various opinions depending upon the locations, Mr. Fayo.

MR. PETRO: How about Pullar?

MR. EDSALL: It doesn't matter because it's a county road, I have asked Myra to refer to this Bob Gilson.

MR. PETRO: We have local highway approval on 6/24/96.

MR. EDSALL: It has gone to the County, who has jurisdiction.

MR. LANDER: Is the reason the driveway's on that angle so you can get the 62 feet, what do you need 60 for, road?

MR. VICCARO: For road right-of-way.

MR. LANDER: Oh, all right, seems to me that if it was kicked over towards Cimorelli, it would line up but you need 62 feet.

MR. STENT: He's probably following the property back.

MR. LANDER: He needs 62 for the frontage.

MR. EDSALL: The actual location of the driveway, Ron, will be set by the county so they may want to have him come out in one location, they may ask that he split them and move them to the right but the curb cut location would be a county location.

MR. PETRO: Water and sewer here?

MR. LANDER: Yeah.

MR. PETRO: We have water approval on 6/21 and fire on 6/25 and we're going to wait back to hear from Orange County Department of Public--

MR. DUBALDI: Make a motion we assume lead agency under SEQRA.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board assume lead agency under SEQRA for the Scaglione minor subdivision on Union Avenue. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	AYE
MR. LANDER	AYE

MR. LUCAS                    AYE  
MR. PETRO                   AYE

MR. STENT: It should be noted that I border this property.

MR. PETRO: I don't know if you directly border, you have already said that, you can say it in the minutes if you'd like, but you also have the easement between you but just from our conversation, it is now noted in the minutes.

MR. PETRO: Mark, you want to touch on the ejector system with the sewer, do you have any problems with that?

MR. EDSALL: No, it's not a problem if they in fact develop the roadway, and additional lots, it would be anticipated that they would put in a sewer line. They, to my understanding, would be able to get gravity flow back through to Summit so that at that point, if it's laid out in that manner, the ejector could be eliminated. But again, I think that is one that I am suggesting we include a restriction that should a road be developed that the lengthened service to lot 2 would have to be eliminated and tied into the improvements in the road. I'm just trying to avoid things not being improved once the future subdivision which we anticipate to happen occurs.

MR. PETRO: As far as public hearing, gentlemen, I think it's discretionary. Is it residential all the way around? I believe, I don't think there is anything.

MR. LUCAS: There is no commercial, closest commercial would be down by the YMCA.

MR. PETRO: So I think this here, it's an accepted use, it is the use for the property, and I don't think he's overburdening the property by any stretch of the imagination.

MR. LUCAS: I move--

MR. DUBALDI: Just for the record, we're not setting up a situation that lot number 2 will have to be accessed off of Summit, correct? Just for the record.

MR. LANDER: Well, we don't know that.

MR. LUCAS: Until they develop it.

MR. EDSALL: Are you saying for this subdivision?

MR. DUBALDI: For this subdivision.

MR. EDSALL: Absolutely not because lot 2 has legal frontage on Union Avenue and the access for the subdivision as you're reviewing it is purely from Union Avenue.

MR. LANDER: I disagree with that, we don't know who owns the lot.

MR. EDSALL: It's clearly not them.

MR. LANDER: Somebody owns it.

MR. EDSALL: If another person or the county owns it, or if the Town of New Windsor owns it, they'll need to get permission from that party if it's by the town, they'd have to come back to the town.

MR. LUCAS: That won't affect what we're doing tonight.

MR. LANDER: Well, he doesn't want this subdivision coming out onto Summit.

MR. DUBALDI: I didn't say that, I said for public hearing purposes.

MR. LUCAS: They have to cross the easement, they can't do that, right?

MR. PETRO: Well, yes, because he would be on to the center line.

MR. LANDER: It's in all the deeds.

MR. PETRO: Mike, this gentleman would own to the center line of the easement. If someone bought the other lot, they would also own to the center line of the easement. So obviously, they'd meet, if it was the same owner, they can cross it.

MR. LANDER: We have owner unknown, what does that mean?

MR. KRIEGER: You have to have the cooperation of whoever, same owner, they can do as they wish.

MR. PETRO: Mike, you were going to make a motion?

MR. LUCAS: Waive public hearing.

MR. LANDER: I have a question here on this owner unknown.

MR. EDSALL: Ron, Carmen was talking about the 50 foot strip that is County of Orange.

MR. LANDER: Yes, I know he was.

MR. LANDER: Then I just look at the map here.

MR. STENT: Owner unknown on the easement between the stone walls.

MR. LANDER: I thought all these people here owned to the center line.

MR. PETRO: They do.

MR. LANDER: Why does it say owner unknown?

MR. VICCARO: This is from the reference map filed with the county on the reference map here.

MR. LANDER: Owner unknown through the whole section.

MR. VICCARO: The applicant doesn't own that section and this is the area that Mark Edsall was saying that there's some question about the county.

MR. LANDER: No, he's talking about this piece right here, there's a 50 foot strip that runs from this property over to Summit and that is what was on my mind.

MR. PETRO: Ron, I can tell you on my uncle's deed it shows that he does own to the center foot of that lane, he owns that 15 foot, and I would assume that everybody else's deeds. Especially in Park Hill, because it wraps right around there, so we'd have to assume that the especially it doesn't affect us tonight anyway, it's non-bearing on this application. If we need to know further in the future subdivision, the attorney would have to find out exactly who does own it. Anything else?

MR. LUCAS: I move we waive the public hearing.

MR. DUBALDI: Because of the fact that we're setting up a situation that lots might be created off of Summit, are you thinking the same thing I am, that is what I was saying earlier, I don't have a problem with it, just that I think we should be notifying people down our streets here that, you know, they might have additional houses coming off of Summit and I do know especially Ona Lane there was considerable amount of opposition to that and I just think if we--

MR. PETRO: I would agree, I don't see how this application--

MR. DUBALDI: We're setting up lot 2 to only be able to come off Summit.

MR. PETRO: Not at all. You have 62 foot frontage on Union Avenue.

MR. EDSALL: Maybe we can ask the applicant, he's here, do you have any intent of taking the driveway for lot 2 off anything other than Union Avenue?

MR. SCAGLIONE: No, if a future road would be built on the 50 foot then can be a combination of it.

MR. EDSALL: There may be a time in the future that

this is further subdivided and there may be a desire to put a second access into that subdivision, but that is something you'd want to look at and get the best intent from the town board and planning board and make a determination and you should have a public hearing for that, maybe the applicant's willing to restrict access for lot 2, unless there is a further approval that would allow access other than from Union Avenue. That means you're just agreeing for now not to access lot 2 other than from Union Avenue.

MR. DUBALDI: But again, for the record--

MR. LANDER: Shows it.

MR. EDSALL: When you show it that is not a deed restriction, he can turn around and access any way he wants, as long as he's got legal access, but if he agrees to restrict it unless there is no subsequent approval that locks him in.

MR. PETRO: He is agreeing to restrict it in the form of the minutes.

MR. EDSALL: Whatever Andy thinks is the right way to lock it in, it could be a note on the subdivision plat.

MR. KRIEGER: I would suggest that that would be the right way to do it.

MR. DUBALDI: So we're not restricting this lot to only come off of Summit?

MR. PETRO: No.

MR. EDSALL: Just Union.

MR. KRIEGER: There are two questions. Question number one is does it have to come off of Summit only and question number two is can it come off of Summit?

MR. DUBALDI: Right.

MR. KRIEGER: In addition to or--

MR. DUBALDI: I'm asking does it have to, if we approve the map the way it is and from what I can understand the answer is no.

MR. KRIEGER: No.

MR. DUBALDI: So that makes me happy.

MR. KRIEGER: Doesn't have to.

MR. DUBALDI: Therefore, I'll second the motion.

MR. PETRO: Motion to waive the public hearing, just to further follow up, we have to add a note to the map, Ron, to state that this subdivision is only to be accessed off of Union Avenue.

MR. EDSALL: Unless there is a subsequent approval from the Town of New Windsor.

MR. PETRO: Do you understand?

MR. VICCARO: Reiterating from the, what the plan shows for the record.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board under its discretionary judgment waive the public hearing for the Scaglione subdivision on Union Avenue. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	ABSTAIN
MR. LANDER	NO
MR. LUCAS	AYE

MR. PETRO: Mark, we have to hear back from the county?

MR. EDSALL: You need to hear from the county on the permit but you could take care of SEQRA now and because I would suspect the county is capable of running their own SEQRA review for a curb cut, there are no other



involved agencies that I know of so my suggestion is that you assume lead agency for the subdivision only and do an uncoordinated review and I believe that since it's only 2 lot subdivision, you could adopt a negative dec, motion for negative dec.

MR. LUCAS: Make a motion for negative dec.

MR. DUBALDI: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec for the Scaglione subdivision on Union Avenue. Is there further discussion from the board members? If not, roll call.

ROLL CALL

MR. DUBALDI	AYE
MR. STENT	ABSTAIN
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. LUCAS: What's the elevation between the road and the second house, what's the slope?

MR. VICCARO: In distance?

MR. LUCAS: Well, the distance also what the slope is?

MR. PETRO: He has the topo on the map there.

MR. EDSALL: You're not even looking at that because the invert elevation of the pipe is around 107 and the grade elevation outside the garage is 106 so the problem is just a slight incline, so they need an ejector, it will probably only be lifting a couple feet.

MR. PETRO: So the driveway certainly isn't a problem either.

MR. LUCAS: Okay.

MR. PETRO: Ron, do you see the driveways as no problem?

MR. LANDER: I would rather see the driveways together, myself.

MR. PETRO: The way they are but I'm correct, Mr. Fayo used to kick them out?

MR. LANDER: Absolutely, yes, I'd rather see them together, otherwise you're going to have one here and 30 feet you have got another one, there's enough on the highway.

MR. DUBALDI: Especially with Cimorelli.

MR. PETRO: We have local highway approval so let's see what the county says. Mark, do you see any other county issues other than hearing back from the county?

MR. EDSALL: If you are in a position to add the notes that we have discussed and the applicant's agreed to, you could can conditionally approve it subject to them just obtaining the necessary permit from the county DPW.

MR. PETRO: Let's work this backwards. Do you, do we see any other reason to have them come back before the board?

MR. LUCAS: Other than the--

MR. PETRO: Other than what we just discussed?

MR. LUCAS: The notes on the map that there won't be access.

MR. PETRO: Plan won't be stamped until that is done.

MR. EDSALL: And I have got the notes relative to my comments 3 and 4 that we'd have to work out the proper wording of.

MR. STENT: What effect is this going to have on the natural drainage that is there going to the back as far

as the elevations from Union Avenue all the way back because that is all wooded area now and retains a lot of water?

MR. EDSALL: I believe given the size of the lot and the small impact because you're only developing the very front portion of it, I would suspect that you'd have very little impact on this subdivision, if they come back in for a major subdivision and roadway, I think at that point, we have to look at drainage.

MR. STENT: He can legally clear that whole parcel of land.

MR. EDSALL: He can clear it right now and not come to this board for a subdivision and that then it's a civil matter which someone else would have to decide he can clear the entire property tomorrow and withdraw this application so again, I think that is something that we just really have no control over.

MR. PETRO: Seems that you have three notes to add to the map plus we need to hear back from the county. Would it be a hardship to come back in two weeks after all this is done, we have a fresh map in front of us with everybody on it, is that a problem to wait, it's a very light agenda right now so I mean you can come back on the next agenda and I think the map would be done correctly. Anthony, you can add everything that Mark has, you have his minutes, you can coordinate with him and we have the map in front of us and possibly hear back from the county.

MR. DUBALDI: Good idea, Mr. Chairman.

MR. PETRO: Thank you for coming in.



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

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(717) 296-2765

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS**

**REVIEW NAME:** SCAGLIONE MINOR SUBDIVISION  
**PROJECT LOCATION:** UNION AVENUE (COUNTY ROUTE 69)  
**PROJECT NUMBER:** 96-16  
**DATE:** 26 JUNE 1996  
**DESCRIPTION:** THE APPLICATION INVOLVES THE MINOR SUBDIVISION  
OF AN EXISTING 4.74 +/- ACRE PARCEL INTO TWO (2)  
SINGLE-FAMILY RESIDENTIAL LOTS.

1. The project is located within the R-4 Zoning District of the Town. The bulk information shown for the subdivision appears correct based on the zone and use category.

Each lot appears to comply with the minimum bulk requirements, although it is noted that several corrections need to be made to the "proposed" bulk information.

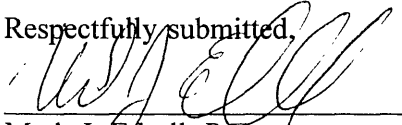
2. As discussed at the Technical Work Session, the subdivision layout provides for the ability to further subdivide Lot 2 in the future. The Applicant has located the residences on Lots 1 and 2, such that a road can be created without creating any compliance problems.
3. The Board will note that two (2) independent driveways are proposed to access Union Avenue. It is recommended that the Planning Board include, as a condition of the subdivision approval, a deed restriction requiring that the driveways for these proposed residences will be required to exit onto any future constructed roadway within the subdivision, rather than directly to Union Avenue, at some time in the future. This should prohibit direct access to Union Avenue after such road is constructed.

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS  
PAGE 2**

**REVIEW NAME:** SCAGLIONE MINOR SUBDIVISION  
**PROJECT LOCATION:** UNION AVENUE (COUNTY ROUTE 69)  
**PROJECT NUMBER:** 96-16  
**DATE:** 26 JUNE 1996

4. It is anticipated that the sanitary sewer service for Lot 2 will require an ejector system. The utilities for this lot are laid-out, such that the individual laterals run to the services in Union Avenue. The approval of this subdivision should include, as a condition, the requirement that these "long services" will be abandoned once a roadway is constructed, since it is anticipated that any future construction would include both a roadway and municipal utilities within that roadway (at that time the services could run straight out to the new road water and sewer lines).
5. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process. It is my recommendation that the Board declare this action an unlisted action and perform an uncoordinated review.
6. The Applicant will be required to obtain individual driveway curb-cut permits from the Orange County Department of Public Works. At this time it is my understanding that Myra Mason has referred this plan to the OCDPW for review and comment.
7. The Planning Board should determine if a **Public Hearing** will be necessary for this **minor subdivision**, or if same can be waived per Paragraph 4.B of the Subdivision Regulations.
8. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer  
MJEmk  
A:SCAGLI.mk

# RESULTS OF P.E. MEETING

DATE: June 26, 1996

PROJECT NAME: Bagliore, Commerce Sub. PROJECT NUMBER 76-16

\*\*\*\*\*

LEAD AGENCY:

\* NEGATIVE DEC:

M) D S) LU VOTE: A 5 N 0

\* M) LU S) D VOTE: A 4 N 1 Abstain (Stent)

CARRIED: YES ✓ NO       

\* CARRIED: YES: ✓ NO       

\*\*\*\*\*

PUBLIC HEARING: M) LU S) D VOTE: A 3 N 1 Abstain 1 (Stent)

WAIVED: YES ✓ NO       

SEND TO OR. CO. PLANNING: M)        S)        VOTE: A        N        YES        NO       

SEND TO DEPT. OF TRANSPORT: M)        S)        VOTE: A        N        YES        NO       

DISAPP: REFER TO Z.E.A.: M)        S)        VOTE: A        N        YES        NO       

RETURN TO WORK SHOP: YES        NO       

APPROVAL:

M)        S)        VOTE: A        N        APPROVED:       

M)        S)        VOTE: A        N        APPR. CONDITIONALLY:       

NEED NEW PLANS: YES        NO       

DISCUSSION/APPROVAL CONDITIONS:       

Verify who owns the property N/6 County of Orange  
Put note on plan "No Two Entrances to Lot #2" Union Ave Only  
Unless further Subdivided  
Need County Review  
Mark Comments #3 & #4  
Return next meeting

P.B. # 96-16 Application Fee



562-7043  
**SCAGLIONE QUALITY BUILDERS**  
241 TEMPLE HILL ROAD  
NEW WINDSOR, NY 12553

1118

29-7003/2213  
24

6-20-1996

PAY  
TO THE  
ORDER OF

TOWN of NEW WINDSOR

\$ 50.00

fifty and 00/100

DOLLARS



**ALBANK**  
FSB

Route 32 & Old Temple Hill Road  
Vails Gate, NY 12584

FOR

frank scaglione NP

⑈001118⑈ ⑆221370030⑆ 24 00002081⑈010158

GUARANTEE & SAFETY  
SCAGLIONE QUALITY BUILDERS

P.B. # 96-16 ESCROW



562-7043  
**SCAGLIONE QUALITY BUILDERS**  
241 TEMPLE HILL ROAD  
NEW WINDSOR, NY 12553

1117

29-7003/2213  
24

6-20-1996

PAY  
TO THE  
ORDER OF

TOWN OF NEW WINDSOR

\$ 300.00

Three hundred and 00/100

DOLLARS



**ALBANK**  
FSB

Route 32 & Old Temple Hill Road  
Vails Gate, NY 12584

FOR

frank scaglione NP

⑈001117⑈ ⑆221370030⑆ 24 00002081⑈010158

GUARANTEE & SAFETY  
SCAGLIONE QUALITY BUILDERS



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 96 - 16

DATE PLAN RECEIVED: RECEIVED SEP 16 1996 Rev 2

The maps and plans for the Site Approval \_\_\_\_\_  
Subdivision ☒ \_\_\_\_\_ as submitted by  
\_\_\_\_\_ for the building or subdivision of  
\_\_\_\_\_ has been  
reviewed by me and is approved ☒ \_\_\_\_\_,  
disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*W. James Sullivan* 9/18/96  
HIGHWAY SUPERINTENDENT DATE

\_\_\_\_\_  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE

RECEIVED

SEP 17 1996

N W HIGHWAY DEPT.



# MEMO

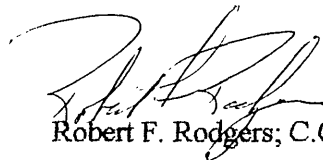
**To:** Town Planning Board  
**From:** ROBERT F. RODGERS, C.C.A.  
**Subject:** Scaglione Subdivision  
**Date:** 17 September 1996

Planning Board Reference Number: PB-96-16  
Dated: 16 September 1996  
Fire Prevention Reference Number: FPS-96-045

A review of the above referenced subject subdivision plan was conducted on 17 September 1996.

This subdivision plan is acceptable.

Plans Dated: 27 August 1996 Revision 3



Robert F. Rodgers, C.C.A.

RFR/dh



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 96 - 16

DATE PLAN RECEIVED: RECEIVED SEP 16 1996 Rev 2

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

4 Dominic Scaglione has been

reviewed by me and is approved ☒

~~disapproved~~ \_\_\_\_\_

~~If disapproved, please list reason~~ \_\_\_\_\_

Notify water dept. for location of water  
lines and information for hook-up -

HIGHWAY SUPERINTENDENT DATE

Steve D. D. C.A.W. - 9-18-96  
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE CORRESPONDENCE

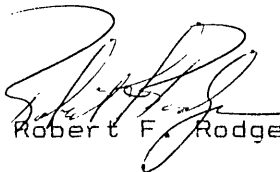
**TO:** Town Planning Board  
**FROM:** Town Fire Inspector  
**DATE:** 23 July 1996  
**SUBJECT:** Scaglione Subdivision

Planning Board Reference Number: FP-96-16  
Dated: 15 July 1996  
Fire Prevention Reference Number: FPS-96-038

A review of the above referenced subject subdivision plan was conducted on 16 July 1996.

This subdivision plan is acceptable.

Plans Dated: 12 July 1996 Revision 2

  
Robert F. Rodgers; C.C.A.

RFR/dh



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: **96 - 16**

DATE PLAN RECEIVED: **RECEIVED JUL 15 1996** *Rev 2*

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

*Domenico Scaglione* \_\_\_\_\_ has been

reviewed by me and is approved ☒ \_\_\_\_\_,

~~disapproved~~ \_\_\_\_\_.

~~If disapproved, please list reason~~ \_\_\_\_\_

*Water is available - please notify water  
dept. for further information & tap requirements*

HIGHWAY SUPERINTENDENT DATE

*Steve DiDio* *7-16-96*  
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

RECEIVED

JUL 15 1996

NEW WINDSOR PLANNING BOARD REVIEW FORM

N.W. HIGHWAY DEPT.

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 96 - 16

DATE PLAN RECEIVED: RECEIVED JUL 15 1996 *Rev2*

The maps and plans for the Site Approval \_\_\_\_\_  
Subdivision \_\_\_\_\_ as submitted by  
\_\_\_\_\_ for the building or subdivision of  
\_\_\_\_\_ has been  
reviewed by me and is approved ☒  
disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*[Signature]* *7/19/96*  
HIGHWAY SUPERINTENDENT DATE

\_\_\_\_\_  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

RECEIVED

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

JUL 8 - 1996

PLEASE RETURN COMPLETED FORM TO:

N.W. HIGHWAY DEPT.

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: **96 - 16**

DATE PLAN RECEIVED: **RECEIVED JUL 3 1996**

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision ☒ \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

\_\_\_\_\_ has been

reviewed by me and is approved ☒ \_\_\_\_\_,

disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

W. James Sullivan 7/9/96  
HIGHWAY SUPERINTENDENT DATE

\_\_\_\_\_  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE

INTER-OFFICE CORRESPONDENCE

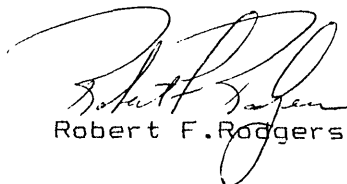
**TO:** Town Planning Board  
**FROM:** Town Fire Inspector  
**DATE:** 9 July 1996  
**SUBJECT:** Scaglione Subdivision

Planning Board Reference Number: PB-96-16  
Dated: 3 July 1996  
Fire Prevention Reference Number: FPS-96-035

A review of the above referenced subject subdivision plan was conducted on 9 July 1996.

This subdivision plan is acceptable.

Plans Dated: 3 July 1996; Revision 1

  
Robert F. Rodgers; C.C.A.

RFR/dh



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 96-16

DATE PLAN RECEIVED: RECEIVED JUL 3 1996

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

Domenico Scaglione has been

reviewed by me and is approved ☒ \_\_\_\_\_,

disapproved \_\_\_\_\_.

~~If disapproved, please list reason~~ \_\_\_\_\_

Water is available for this prop.

HIGHWAY SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_

James D. D'Amico - 7-9-96  
WATER SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_

SANITARY SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_





1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

RECEIVED

JUN 21 1996

N.W. HIGHWAY DEPT

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 96 - 16

DATE PLAN RECEIVED: RECEIVED JUN 20 1996

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision ✓ \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

\_\_\_\_\_ has been

reviewed by me and is approved ✓ \_\_\_\_\_,

disapproved \_\_\_\_\_.

If disapproved, please list reason \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

W. James Cullh 6/24/96  
HIGHWAY SUPERINTENDENT DATE

\_\_\_\_\_  
WATER SUPERINTENDENT DATE

\_\_\_\_\_  
SANITARY SUPERINTENDENT DATE

INTER-OFFICE CORRESPONDENCE

**TO:** Town Planning Board  
**FROM:** Town Fire Inspector  
**DATE:** 25 June 1996  
**SUBJECT:** Scaglione Subdivision

Planning Board Reference Number: PB-96-16  
Dated: 20 June 1996  
Fire Prevention Reference Number: FPS-96-033

A review of the above referenced subject subdivision plan was conducted on 20 June 1996.

This subdivision plan is acceptable.

Plans dated: 7 June 1996.

  
Robert F. Rodgers; C.C.A.

RFR/dh



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 96 - 16

DATE PLAN RECEIVED: RECEIVED JUN 20 1996

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

\_\_\_\_\_ for the building or subdivision of

Domenico Scaglione has been

reviewed by me and is approved ☒

~~disapproved~~ \_\_\_\_\_.

~~If disapproved, please list reason~~ \_\_\_\_\_

Notify water dept. for further info on  
water connections

HIGHWAY SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_

Steve D. D. CAmo-6-21-96  
WATER SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_

SANITARY SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_



10. Tax Map Designation: Section 4 Block 2 Lot 7.23

11. General Description of Project: 2 Lot Residential Subdivision  
with Town water and sanitary sewer on 4.74 acres

12. Has the Zoning Board of Appeals granted any variances for this property? yes X no.

13. Has a Special Permit previously been granted for this property? yes X no.

ACKNOWLEDGEMENT:

If this acknowledgement is completed by anyone other than the property owner, a separate notarized statement from the owner must be submitted, authorizing this application.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application and supporting documents and drawings are true and accurate to the best of his/her knowledge and/or belief. The applicant further acknowledges responsibility to the Town for all fees and costs associated with the review of this application.

Sworn before me this

17<sup>th</sup> day of June 1996

*Domenico Scaglione*  
Applicant's Signature

*Chris Scibelli*  
**CHRIS SCIBELLI**  
Notary Public, State of New York  
No. 24-4814694  
Qualified in Orange County  
Commission Expires September 30, 1996

\*\*\*\*\*  
TOWN USE ONLY:

RECEIVED JUN 20 1996

Date Application Received

96 - 16

Application Number

"XX"

APPLICANT'S PROXY STATEMENT  
(for professional representation)for submittal to the  
TOWN OF NEW WINDSOR PLANNING BOARDDomenico Scaglione, deposes and says that he  
(Applicant)resides at 241 Temple Hill Road, New Windsor, NY 12553  
(Applicant's Address)in the County of Orangeand State of New Yorkand that he is the applicant for the Subdivision Plan for Domenico  
Scaglione

(Project Name and Description)

which is the premises described in the foregoing application and  
that he has authorized Zimmerman Engineering & Surveying, P.C.  
(Professional Representative)

to make the foregoing application as described therein.

Date: June 14, 1996

17<sup>th</sup> of June, 1996  
Chris Scibelli  
**CHRIS SCIBELLI**  
Notary Public, State of New York  
No. 24-4814694  
Qualified in Orange County  
Commission Expires September 30, 1996

Domenico Scaglione  
(Owner's Signature)

\_\_\_\_\_  
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF  
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT  
AND/OR OWNER AT THE MEETINGS.

RECEIVED JUN 20 1996

If Applicable "XX"

TOWN OF NEW WINDSOR PLANNING BOARD  
SUBDIVISION/LOT LINE CHANGE CHECKLIST

## I. The following items shall be submitted with a COMPLETED Planning Board Application Form.

1.     X     Environmental Assessment Statement
- \*2.     X     Proxy Statement
3.     X     Application Fees
4.     X     Completed Checklist

## II. The following checklist items shall be incorporated on the Subdivision Plat prior to consideration of being placed on the Planning Board Agenda.

1.     X     Name and address of Applicant.
- \*2.     X     Name and address of Owner.
3.     X     Subdivision name and location.
4.     X     Tax Map Data (Section-Block-Lot).
5.     X     Location Map at a scale of 1" = 2,000 ft.
6.     X     Zoning table showing what is required in the particular zone and what applicant is proposing.
7.     X     Show zoning boundary if any portion of proposed subdivision is within or adjacent to a different zone.
8.     X     Date of plat preparation and/or date of any plat revisions.
9.     X     Scale the plat is drawn to and North Arrow.
10.     X     Designation (in title) if submitted as Sketch Plan, Preliminary Plan or Final Plan.
11.     X     Surveyor's certification.
12.     X     Surveyor's seal and signature.

\*If applicable.

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13.     X     Name of adjoining owners.
14.     X     Wetlands and 100 foot buffer zone with an appropriate note regarding D.E.C. requirements.
- \*15.     X     Flood land boundaries.
16.     N/A     A note stating that the septic system for each lot is to be designed by a licensed professional before a building permit can be issued.
17.     X     Final metes and bounds.
18.     X     Name and width of adjacent streets; the road boundary is to be a minimum of 25 ft. from the physical center line of the street.
19.     X     Include existing or proposed easements.
20.     X     Right-of-Way widths.
21.     N/A     Road profile and typical section (minimum traveled surface, excluding shoulders, is to be 16 ft. wide).
22.     X     Lot area (in square feet for each lot less than 2 acres).
23.     X     Number the lots including residual lot.
24.     X     Show any existing waterways.
- \*25.     X     A note stating a road (or any other type) maintenance agreement is to be filed in the Town Clerk's Office and County Clerk's Office.
26.     X     Applicable note pertaining to owners' review and concurrence with plat together with owners' signature.
27.     X     Show any existing or proposed improvements, i.e., drainage systems, waterlines, sewerlines, etc. (including location, size and depths).
28.     X     Show all existing houses, accessory structures, existing wells and septic systems within 200 ft. of the parcel to be subdivided.

\*If applicable.



RECEIVED JUN 20 1996

29.     X     Show all and proposed on-site "septic" system and well locations; with percolation and deep test locations and information, including date of test and name of professional who performed test.
30.     X     Provide "septic" system design notes as required by the Town of New Windsor.
31.     X     Show existing grade by contour (2 ft. interval preferred) and indicate source of contour data.
32.     X     Indicate percentage and direction of grade.
33.     X     Indicate any reference to previous, i.e., file map date, file map number and previous lot number.
34.     X     Provide 4" wide x 2" high box in area of title block (preferably lower right corner) for use by Planning Board in affixing Stamp of Approval.
35.     X     Indicate location of street or area lighting (if required).

RECEIVED JUN 20 1996

REFERRING TO QUESTION 9 ON THE APPLICATION FORM, "IS THIS PROPERTY WITHIN AN AGRICULTURAL DISTRICT CONTAINING A FARM OPERATION OR WITHIN 500 FEET OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, PLEASE NOTE THE FOLLOWING:

36. \_\_\_\_\_ Referral to Orange County Planning Dept. required for all applicants filing AD Statement.
37. \_\_\_\_\_ A Disclosure Statement, in the form set below must be inscribed on all subdivision maps prior to the affixing of a stamp of approval, whether or not the Planning Board specifically requires such a statement as a condition of approval.

"Prior to the sale, lease, purchase, or exchange of property on this site which is wholly or partially within or immediately adjacent to or within 500 feet of a farm operation, the purchaser or lessor shall be notified of such farm operation with a copy of the following notification.

It is the policy of this State and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district or within 500 feet of such a district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors."

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The plat for the proposed subdivision has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

By:   
Licensed Professional

Date: 6-18-96

## Appendix A

State Environmental Quality Review  
FULL ENVIRONMENTAL ASSESSMENT FORM

RECEIVED JUN 20 1996

**Purpose:** The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible to allow introduction of information to fit a project or action.

**Full EAF Components:** The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

### DETERMINATION OF SIGNIFICANCE—Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: ☒ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- ☐ A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**
- ☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.\***
- ☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

\* A Conditioned Negative Declaration is only valid for Unlisted Actions

SUBDIVISION FOR DOMENICO SCAGLIONE

Name of Action

TOWN OF NEW WINDSOR

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

JUNE 14, 1996

Date

## Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION Subdivision for Domenico Scaglione		
LOCATION OF ACTION (Include Street Address, Municipality and County) Southerly side of Union Avenue directly opposite Cimorelli Drive		
NAME OF APPLICANT/SPONSOR Domenico Scaglione	BUSINESS TELEPHONE (914) 562-7043	
ADDRESS 241 Temple Hill Road		
CITY/PO New Windsor	STATE NY	ZIP CODE 12553
NAME OF OWNER (If different) Same	BUSINESS TELEPHONE ( )	
ADDRESS		
CITY/PO	STATE	ZIP CODE
DESCRIPTION OF ACTION Subdivision of land approximately 4.74 acres into two residential building lots. Both lots to be served by public utilities (sewer and water) and are located in a suburban residential (R-4) district.		

Please Complete Each Question—Indicate N.A. if not applicable

## A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: ☐ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)  
☐ Forest ☐ Agriculture ☐ Other \_\_\_\_\_

2. Total acreage of project area: 4.74 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>4.74</u> acres	<u>4.50</u> acres
Forested	_____ acres	_____ acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	_____ acres	_____ acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (Rock, earth or fill)	_____ acres	_____ acres
Roads, buildings and other paved surfaces	_____ acres	<u>0.24</u> acres
Other (Indicate type) _____	_____ acres	_____ acres

3. What is predominant soil type(s) on project site? (MdB-Mardin) (ErA Erie) Gravelly Silt Loam
- a. Soil drainage: ☐ Well drained \_\_\_\_\_ % of site ☒ Moderately well drained 95 % of site  
☒ Poorly drained 5 % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? \_\_\_\_\_ acres. (See 1 NYCRR 370).
4. Are there bedrock outcroppings on project site? ☐ Yes ☒ No
- a. What is depth to bedrock? >5' (in feet)

5. Approximate percentage of project site with slopes: 0-10% 100 % 11-15% 0 %  
☐ 15% or greater 0 %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? ☐ Yes ☒ No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐ Yes ☒ No
8. What is the depth of the water table? 2 (in feet)
9. Is site located over a primary, principal, or sole source aquifer? ☐ Yes ☒ No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐ Yes ☒ No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?  
☐ Yes ☒ No According to \_\_\_\_\_  
 Identify each species \_\_\_\_\_
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)  
☐ Yes ☒ No Describe \_\_\_\_\_
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?  
☐ Yes ☒ No If yes, explain \_\_\_\_\_
14. Does the present site include scenic views known to be important to the community?  
☐ Yes ☒ No
15. Streams within or contiguous to project area: None  
 a. Name of Stream and name of River to which it is tributary \_\_\_\_\_
16. Lakes, ponds, wetland areas within or contiguous to project area:  
 a. Name None b. Size (In acres) \_\_\_\_\_
17. Is the site served by existing public utilities? ☒ Yes ☐ No  
 a) If Yes, does sufficient capacity exist to allow connection? ☒ Yes ☐ No  
 b) If Yes, will improvements be necessary to allow connection? ☐ Yes ☒ No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☒ No
20. Has the site ever been used for the disposal of solid or hazardous wastes? ☐ Yes ☒ No

## B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor None acres.
- b. Project acreage to be developed: .22 acres initially; .22 acres ultimately.
- c. Project acreage to remain undeveloped 4.5 acres.
- d. Length of project, in miles: N/A (If appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed N/A %;
- f. Number of off-street parking spaces existing 0; proposed 4.
- g. Maximum vehicular trips generated per hour 4 (upon completion of project)?
- h. If residential: Number and type of housing units:
- |            | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially  | <u>2</u>   | <u>0</u>   | <u>0</u>        | <u>0</u>    |
| Ultimately | <u>2</u>   | <u>0</u>   | <u>0</u>        | <u>0</u>    |
- i. Dimensions (in feet) of largest proposed structure 35 height; 50 width; 25 length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 173 ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? None tons/cubic yards
3. Will disturbed areas be reclaimed? ☒ Yes ☐ No ☐ N/A
- a. If yes, for what intended purpose is the site being reclaimed? Lawns, Driveways & Regrading
- b. Will topsoil be stockpiled for reclamation? ☒ Yes ☐ No
- c. Will upper subsoil be stockpiled for reclamation? ☒ Yes ☐ No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0.2 acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?  
☐ Yes ☒ No
6. If single phase project: Anticipated period of construction 6 months, (including demolition).
7. If multi-phased: N/A
- a. Total number of phases anticipated \_\_\_\_\_ (number).
- b. Anticipated date of commencement phase 1 \_\_\_\_\_ month \_\_\_\_\_ year, (including demolition).
- c. Approximate completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year.
- d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☐ No
8. Will blasting occur during construction? ☐ Yes ☒ No
9. Number of jobs generated: during construction 10; after project is complete 0.
10. Number of jobs eliminated by this project 0.
11. Will project require relocation of any projects or facilities? ☐ Yes ☒ No If yes, explain \_\_\_\_\_
12. Is surface liquid waste disposal involved? ☐ Yes ☒ No
- a. If yes, indicate type of waste (sewage, industrial, etc.) and amount \_\_\_\_\_
- b. Name of water body into which effluent will be discharged \_\_\_\_\_
13. Is subsurface liquid waste disposal involved? ☐ Yes ☒ No Type \_\_\_\_\_
14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☒ No  
Explain \_\_\_\_\_
15. Is project or any portion of project located in a 100 year flood plain? ☐ Yes ☒ No
16. Will the project generate solid waste? ☐ Yes ☐ No
- a. If yes, what is the amount per month 1 tons
- b. If yes, will an existing solid waste facility be used? ☒ Yes ☐ No
- c. If yes, give name Orange County Sanitary Landfill, location New Hampton, N.Y.
- d. Will any wastes **not** go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☒ No
- e. If Yes, explain \_\_\_\_\_
17. Will the project involve the disposal of solid waste? ☐ Yes ☒ No
- a. If yes, what is the anticipated rate of disposal? \_\_\_\_\_ tons/month.
- b. If yes, what is the anticipated site life? \_\_\_\_\_ years.
18. Will project use herbicides or pesticides? ☐ Yes ☒ No
19. Will project routinely produce odors (more than one hour per day)? ☐ Yes ☒ No
20. Will project produce operating noise exceeding the local ambient noise levels? ☐ Yes ☒ No
21. Will project result in an increase in energy use? ☒ Yes ☐ No  
If yes, indicate type(s) Electric, Gas, Oil
22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.
23. Total anticipated water usage per day 1,000 gallons/day.
24. Does project involve Local, State or Federal funding? ☐ Yes ☒ No  
If Yes, explain \_\_\_\_\_

Approvals Required:

Type

Date

City, Town, Village Board	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
<del>City, Town, Village</del> Planning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Subdivision	6/14/96
City, Town Zoning Board	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
City, County Health Department	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
Other Local Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
Other Regional Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
State Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
Federal Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____

**C. Zoning and Planning Information**1. Does proposed action involve a planning or zoning decision? ☒ Yes ☐ No

If Yes, indicate decision required:

☐ zoning amendment    ☐ zoning variance    ☐ special use permit    ☒ subdivision    ☐ site plan  
☐ new/revision of master plan    ☐ resource management plan    ☐ other \_\_\_\_\_

2. What is the zoning classification(s) of the site? Suburban residential R-43. What is the maximum potential development of the site if developed as permitted by the present zoning?  
R-4 Lots4. What is the proposed zoning of the site? N/A5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?  
N/A6. Is the proposed action consistent with the recommended uses in adopted local land use plans? ☒ Yes ☐ No7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?  
Single family residential8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? ☒ Yes ☐ No9. If the proposed action is the subdivision of land, how many lots are proposed? 2  
a. What is the minimum lot size proposed? 15,00010. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ☒ No11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? ☐ Yes ☒ Noa. If yes, is existing capacity sufficient to handle projected demand? ☐ Yes ☐ No12. Will the proposed action result in the generation of traffic significantly above present levels? ☐ Yes ☒ Noa. If yes, is the existing road network adequate to handle the additional traffic? ☐ Yes ☐ No**D. Informational Details**

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

**E. Verification**

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Gerard Zimmerman Date June 14, 1996Signature  Title Project Engineer

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

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ACC 1082

"XX"

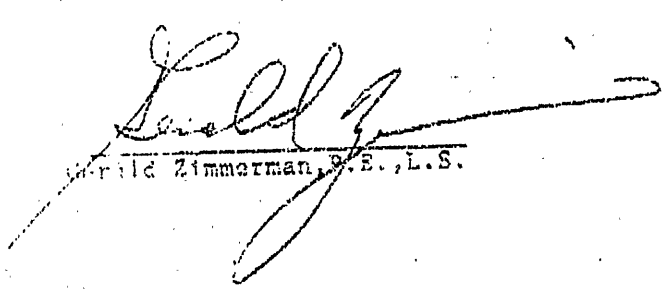
## ATTACHMENTS

- A. Flood Hazard Area Development Permit Application Form.
- B. Certificate of Compliance

NOTE: IF PROPERTY IS NOT IN A FLOOD ZONE, PLEASE INDICATE THAT ON THIS FORM AND SIGN YOUR NAME. RETURN FORM WITH PLANNING BOARD APPLICATION.

IF PROPERTY IS LOCATED IN A FLOOD ZONE, PLEASE COMPLETE THE ATTACHED (LEGAL SIZE) PAPERS AND RETURN WITH PLANNING BOARD APPLICATION.

This property is not in flood zone area.  
See attached flood insurance rate map.

  
Gerald Zimmerman, P.E., L.S.



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ZIMMERMAN ENGINEERING

P.03

Information on flood insurance is available in this community  
from insurance agents, or call the National Flood Insurance  
Program (NFIP) 800-368-5629 or 800-424-8871



APPROXIMATE SCALE

1000 0 1000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

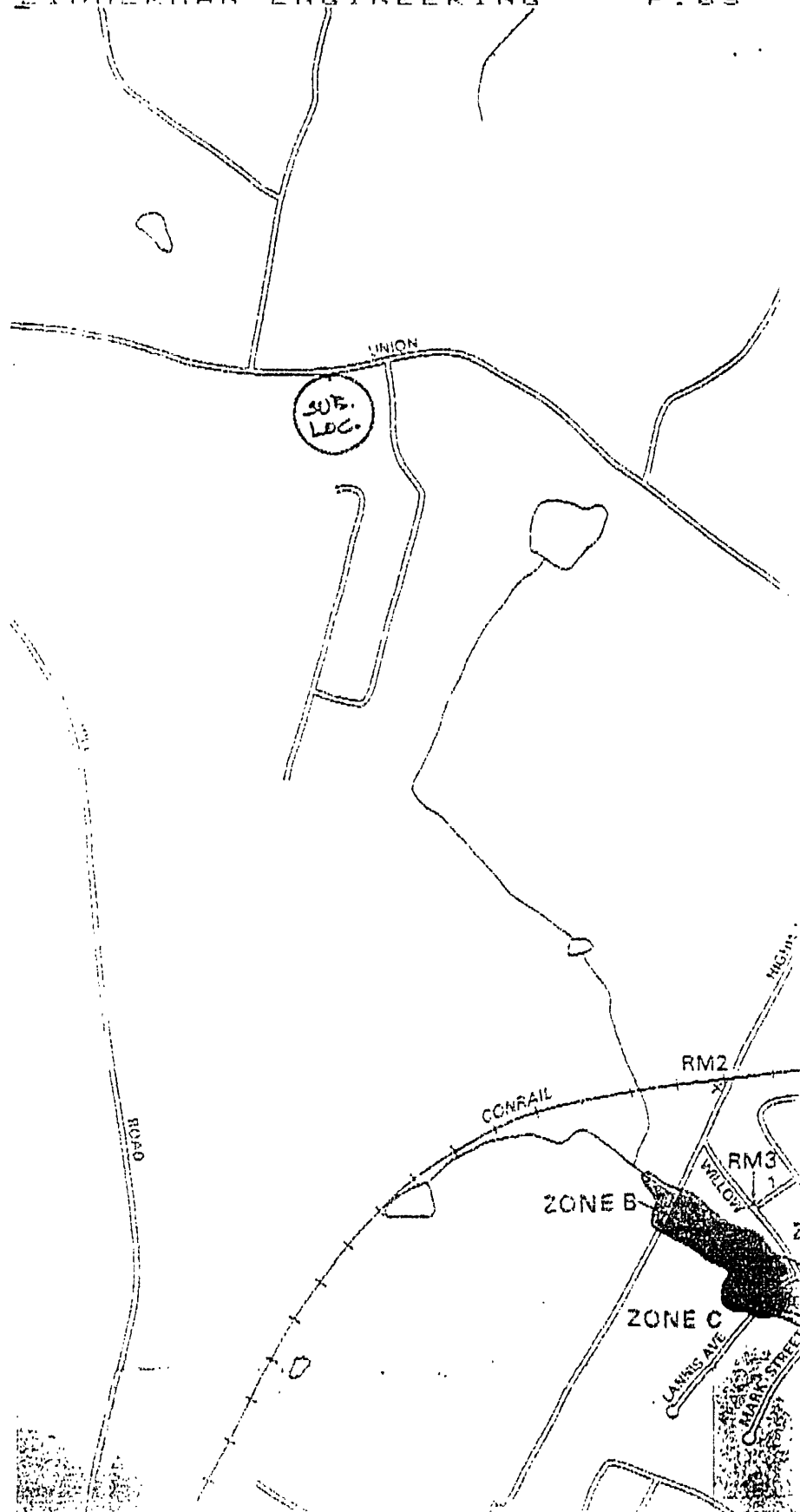
FLOOD INSURANCE RATE MAP

TOWN OF  
NEW WINDSOR,  
NEW YORK  
ORANGE COUNTY

COMMUNITY PANEL NUMBER  
380528 0010 B

PAGE 10 OF 10

EFFECTIVE  
DECEMBER 15, 1978



determine if flood insurance is available in this community, contact your insurance agent, or call the National Flood Insurance Program, at (800) 638-6620, or (800) 424-8872.



APPROXIMATE SCALE

1000 0 1000 FEET

## NATIONAL FLOOD INSURANCE PROGRAM

### FLOOD INSURANCE RATE MAP

TOWN OF  
NEW WINDSOR,  
NEW YORK  
ORANGE COUNTY

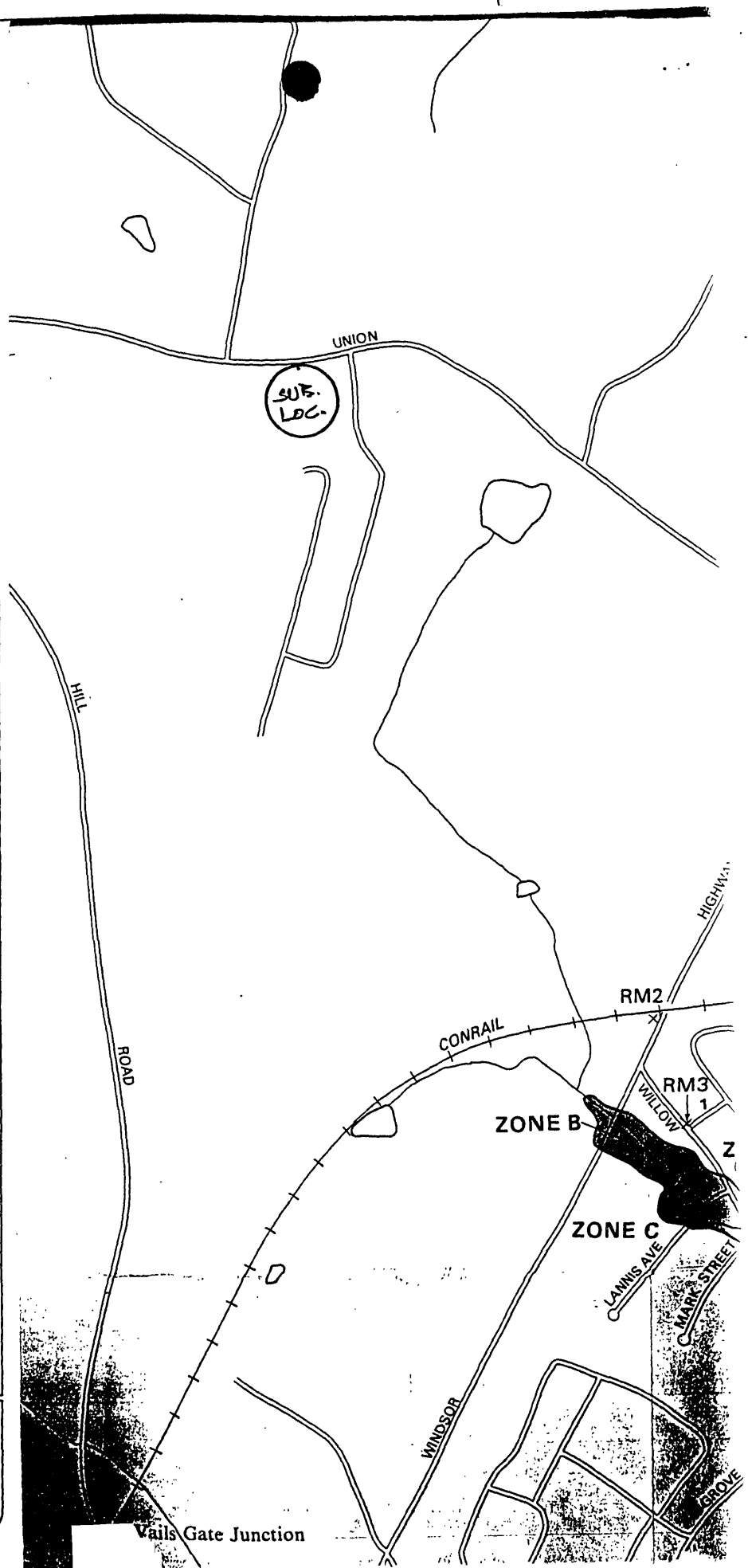
COMMUNITY-PANEL NUMBER  
360628 0010 B

PAGE 10 OF 10

EFFECTIVE  
DECEMBER 15, 1978



U.S. DEPARTMENT OF HOUSING  
AND URBAN DEVELOPMENT  
FEDERAL INSURANCE ADMINISTRATION



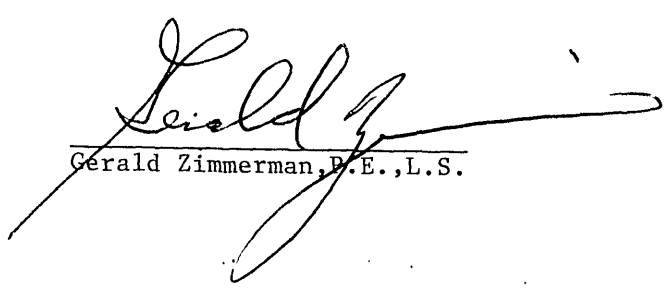
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Gerald Zimmerman, P.E., L.S.

